



Civic Centre,  
Arnot Hill Park,  
Arnold,  
Nottinghamshire,  
NG5 6LU

# Agenda

## Planning Committee

Date: **Wednesday 22 June 2016**

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Time: **6.00 pm**

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Place: **Council Chamber, Civic Centre.**

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For any further information please contact:

**Lyndsey Parnell**

Senior Elections and Members' Services Officer

0115 901 3910

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# Planning Committee

## Membership

**Chair**                      Councillor John Truscott

**Vice-Chair**                Councillor Barbara Miller

Councillor Michael Adams  
Councillor Pauline Allan  
Councillor Peter Barnes  
Councillor Sandra Barnes  
Councillor Chris Barnfather  
Councillor Alan Bexon  
Councillor Bob Collis  
Councillor Kevin Doyle  
Councillor Gary Gregory  
Councillor Meredith Lawrence  
Councillor Marje Paling  
Councillor Colin Powell  
Councillor Paul Stirland  
Councillor Paul Wilkinson  
Councillor David Ellis  
Councillor Nicki Brooks

## **AGENDA**

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1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 18 May 2016.** 5 - 20
- Planning Committee Protocol.**
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## MINUTES PLANNING COMMITTEE

Wednesday 18 May 2016

Councillor John Truscott (Chair)

In Attendance:           Councillor Barbara Miller           Councillor Gary Gregory  
                                  Councillor Pauline Allan           Councillor Marje Paling  
                                  Councillor Peter Barnes           Councillor Colin Powell  
                                  Councillor Sandra Barnes        Councillor Paul Stirland  
                                  Councillor Chris Barnfather      Councillor Paul Wilkinson  
                                  Councillor Alan Bexon            Councillor David Ellis  
                                  Councillor Bob Collis            Councillor John Parr  
                                  Councillor Kevin Doyle

Absent:                    Councillor Michael Adams and Councillor Meredith  
                                  Lawrence

Officers in Attendance:   C Goodall, D Gray, P Seddon, H. Smith (ARAP) and  
                                  F Whyley

### **169           APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Councillors Ellis and Parr attended as substitutes for Councillors Lawrence and Adams, who had given their apologies for absence.

### **170           TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 APRIL 2016.**

#### **RESOLVED:**

That the minutes of the above meeting, having been circulated, be approved as a correct record.

### **171           DECLARATION OF INTERESTS**

None.

### **172           APPLICATION NO. 2015/1376- LAND AT CHASE FARM (FORMER GEDLING COLLIERY), ADJACENT TO ARNOLD LANE AND LAND OFF LAMBLEY LANE, GEDLING, NOTTINGHAMSHIRE.**

Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats),

vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road.

The Principal Planning Officer and the Interim Head of Planning introduced the application and drew Members attention to an addendum that had been circulated at the meeting providing additional recommendations and requesting an amendment to conditions.

**RESOLVED:**

1. That the Borough Council **GRANTS FULL AND OUTLINE PLANNING PERMISSION**, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational, Air Quality, a Local Labour Agreement and Library Facilities; and subject to the indicative conditions listed in the draft decision notice attached for the reasons set out in the report;
2. That the power to determine the final details of the terms of the conditions of the planning permission be delegated to the Chief Executive;
3. That Councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development;
4. That Councillors are also satisfied that Regulation 123 Community Infrastructure Levy Regulations 2010 is complied with;
5. That the requirements of Part 2 of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations are satisfied by reason of the Environmental Statement submitted in support of the application including at least the following information:
  - a. a description of the development comprising information on the site, design and size of the development;
  - b. a description of the measures envisaged in order to avoid, reduce and, if possible remedy significant adverse effects;
  - c. the data required to identify and assess the main effects the scheme is likely to have on the environment;

- d. an outline of the main alternatives studied by the applicant and an indication of the main reasons for rejecting these, taking into account the environmental effects;
  - e. a non-technical summary of the information provided under (a) to (d) above.
- 6. That the implications of the development addressed in the Environmental Statement subject to the mitigation measures proposed do not amount to major adverse effects or main effects or other adverse impacts that would justify the refusal of the application.
- 7. That in making the decision on this application, the environmental information being the Environmental Statement and the representations received on it have been taken into account. The Environmental Statement meets the minimum requirements of Part 2 of Schedule 4 to the Environmental Impact Assessment Regulations and is sufficient having regard to Part 1 of Schedule 4 to those Regulations.
- 8. That Regulation 24(1) of the Environment Impact Assessment Regulations be complied with as soon as reasonably practical and the Chief Executive be delegated to undertake the necessary requirements, namely to notify the decision in writing to the Secretary of State, inform the public of the decision by newspaper advertisement and to place on deposit for public inspection a statement containing the content of the decision and the conditions attached to it, the main reasons and consideration on which the decision is based and a description, where necessary, of the main measures to avoid, reduce and, if possible offset any major adverse effects of the development, and also to contain information on the ability to and procedures for the challenge of the decision

### **Conditions**

- 1 Development within Phase 1A hereby permitted shall be begun no later than 3 years from the date of this permission. Subject to the requirements of condition 3 below, development within Phase 1B hereby permitted shall be begun no later than 5 years from the date of this permission or within six months of completion of the Gedling Access Road, whichever is the later.
- 2 Application(s) for approval of all reserved matters for Phase 2 shall be made to the local planning authority no later than 7 years from the date of this permission, and the development thereby authorised for Phase 2 shall be begun no later than 9 years from the date of this permission or 2 years from the date of the approval of the final reserved matter, whichever is the later.

- 3 No more than 315 homes shall be constructed on the application site (to be located within Phase 1A identified on the agreed Phasing Plan xxx) prior to the completion of the Gedling Access Road (approved under GBC ref 2015/1033). No development shall commence in Phase 1B prior to the completion of the Gedling Access Road. No development for Phase 2 shall commence until a phasing programme for Phase 2, including timings for development of the neighbourhood centre, public open space, education provision and off-site highways works, has been submitted to and approved in writing by the local planning authority.
- 4 Development of Phase 1a and 1b shall be carried out in accordance with the following drawings and documents and such other plans, and documents as may be approved pursuant to the conditions of this planning permission unless otherwise agreed in writing by the local planning authority:
- 5 Before any part of Phase 2 of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority with respect to reserved matters, namely, the appearance, landscaping, layout and scale and internal access roads for the relevant part.
- 6 The development hereby permitted shall not be carried out other than in accordance with the measures detailed in the agreed Travel Plan reference 21410/12-15/4153 REV B (March 2016) unless otherwise agreed in writing by the Local Planning Authority.
- 7 No dwelling shall be occupied within a Phase unless the measures set out in the agreed Travel Plan (March 2016) are in place and a Travel Plan Coordinator has been appointed. A monitoring period will be required from first occupation to the date 5 years from 50% occupation of a Phase. A review must take place with the local planning authority and the highway authority after three years from first occupation within the monitoring period. The Travel Plan Coordinator shall produce an Annual Monitoring Report during the course of the monitoring period commencing on the first anniversary of first occupation of a Phase, and shall issue this to the local planning authority and the highway authority. Survey forms for residents shall be created in liaison with the highway authority with the first surveys to be conducted 3 months from the date of first occupation of a Phase.
- 8 No development shall be occupied unless or until footway and pedestrian/cycle crossing points as shown for indicative purposes only on the plan drawing reference 21410\_08\_010\_01 have been provided to the satisfaction of the Local Planning Authority.

- 9 No development shall commence on any part of the site unless and until details of Traffic Calming on ROAD01 and ROAD06 and a timetable for implementation have been submitted to and approved by the Local Planning Authority. The details approved shall thereafter be implemented in accordance with the approved timetable.
- 10 Prior to Public Transport servicing of the development, bus infrastructure in the form of raised bus kerbs/shelters/bus stops/lighting/timetable information is to be implemented. Details of any such infrastructure are to be submitted and approved by the Local Planning Authority. Once approved the development shall be constructed strictly in accordance with these details and retained as such for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
- 11 No part of the development in Phase 2 shall be occupied or brought into use unless or until details of the internal layout for the development as indicated on the illustrative Site Master Plan Ref 1 4052-P101 REV J have been submitted to and approved in writing by the LPA. These shall be designed in accordance with the principles set out in 'Manual for Streets' and the 6C's Highway Design Guidance. The development shall thereafter be implemented strictly in accordance with the approved details.
- 12 Prior to the commencement of any phase of development, (including remediation works) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The CEMP shall include details of: a named contact for the developer/construction firm should a complaint be received; the limit and height of stockpiling of materials and interim ground treatment; Storage of building materials, equipment and plant; Temporary landscaping; Construction drainage; Measures to control vibration, noise and dust emissions; Measures to protect retained vegetation, protected and other species and the control of invasive species; Full details of all materials to be imported to, or exported from the site including measures to manage soil movement; Fencing for the duration of site works; Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic; Loading and unloading of materials and plant; Storage of materials and plant and materials for use during construction; Details of method to treat and remove suspended solids from surface water run-off during construction; Provision of wheel cleaning facilities; a Construction workers compound; and parking areas including oil and petrol separators. The approved scheme shall be implemented in full for the duration of that phase of the development and no construction activity or work on site shall be

undertaken except during the following times: Monday to Friday 0700 to 1800 hours and Saturday 1000 to 1600 hours.

- 13 No phase of development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. Your attention is brought to the informative below outlining detailed requirements of the surface water drainage scheme. The scheme shall subsequently be implemented strictly in accordance with the approved details before occupation of that phase of development and shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
- 14 No development within a phase shall commence until drainage plans for the disposal of foul sewage within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details prior to occupation of that phase of development.
- 15 Unless otherwise agreed in writing by the Local Planning Authority, development within a phase must not commence until an assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Where the above assessment indicates that contamination may be present, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 16 In the event that remediation is required to render the development suitable for use, the remediation scheme approved pursuant to condition 15 shall be implemented strictly in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that

demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

- 17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 15 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented strictly in accordance with the approved timetable.
- 18 All landscaping must be implemented strictly in accordance with the landscaping plans (xxx), including the landscape maintenance. Prior to occupation of any dwellings within a phase, a detailed planting timescale shall be submitted to and approved in writing by the Local Planning Authority to identify the phasing of planting within the development. The planting shall thereafter be undertaken in accordance with the timescale approved pursuant to this condition.
- 19 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out strictly in accordance with British Standard [3998 (Tree Work)].(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.(c) The erection of fencing for the protection of any retained tree shall be undertaken strictly in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.
- 20 Any trees or other plants, which die, are removed or become seriously damaged or diseased within the first five years following

planting shall be replaced during the next planting season with others of similar size or species unless otherwise agreed in writing by the Local Planning Authority.

- 21 No development within any phase shall take place until details of earthworks for that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the finished levels across the site (including finished floor levels, path and road levels and height of retaining walls) and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Dwellings either side of an access road should have a floor slab level at least 300mm above the adjacent access road. The development shall thereafter be implemented strictly in accordance with the approved details.
- 22 Prior to the commencement of development in Phase 1B or Phase 2, an updated Ecological Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority for approval in writing. The assessment shall include an updated Phase 1 Habitat Survey and protected species surveys for the site area. Thereafter works shall be undertaken strictly in accordance with the mitigation recommended within the EcIA for the phase. No site clearance or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing in advance with the Local Planning Authority. Any clearance works within this period shall be supervised by an Ecological Clerk of Works.
- 23 No site clearance or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing in advance with the Local Planning Authority. Any clearance works within this period must be supervised by an Ecological Clerk of Works and the works agreed in writing by the Local Planning Authority prior to the works commencing.
- 24 No development shall commence within a phase until a landscape management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of enhancements to retained habitats on the site, and also provide details of the long-term management of the retained habitats of the site. Thereafter such works shall be undertaken strictly in accordance with the approved landscape management plan for the relevant phase unless otherwise agreed in writing by the Local Planning Authority.
- 25 No phase of the site shall be occupied unless glazing and ventilation mitigation for that phase has been implemented in line

with the strategy outlined in Chapters 6 and 7 of the Noise Assessment (November 2015). This shall include the adoption of the enhanced glazing and ventilation to those properties outlined in sketch plans SK05 and SK05b.

- 26 Unless otherwise agreed by the Local Planning Authority, development of each phase shall not commence until an assessment of the air quality impacts (including exposure) of the proposal has been submitted to, and approved in writing by the Local Planning Authority. The level of assessment should be commensurate with the scale of development and should characterise the significance of the impact from all sources. The assessment should be carried out in accordance with relevant guidance by suitably qualified persons. Measures required mitigating the air quality impacts of each Phase of development should be agreed by the Local Planning Authority and implemented prior to the occupation of any building. The measures shall thereafter be retained for the life of the development.
- 27 No development shall take place within any phase of the development until the applicant has secured the implementation of a programme of archaeological works for the relevant phase in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include: the results of a geophysical survey; the statement of significance and research objectives; the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; the programme for further mitigation, post-investigation assessment; and subsequent analysis, publication & dissemination and deposition of resulting material. The agreed scheme shall be carried out strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 28 Prior to the commencement of development within a phase, there shall be submitted to and approved in writing by the Local Planning Authority: (1) cross-sections and contour plans showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels for the residential development, for that phase; and (2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for that phase. Each phase of the development shall be implemented strictly in accordance with the approved details, unless otherwise agreed in writing in advance by the Local Planning Authority.

## Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
- 2 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
- 3 To ensure that the development is delivered in accordance with the phasing plan and Transport Assessment submitted with the application. To limit the number of completed dwellings prior to the completion of the Gedling Access Road. For the avoidance of doubt and to accord with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
- 4 For the avoidance of doubt.
- 5 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
- 6 To ensure that sustainable travel is encouraged and implemented in accordance with the aims of the National Planning Policy Guidance (March 2014).
- 7 To ensure that sustainable travel is encouraged and implemented in accordance with the aims of the National Planning Policy Guidance (March 2014).
- 8 In the interests of pedestrian and cycle safety and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 9 In the interests of highway safety and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 10 In order to secure adequate public transport linkages to the site and promote sustainable transport.
- 11 In the interests of highway safety and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 12 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework

and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

- 13 To prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 14 To ensure adequate measures are in place to deal with foul sewage on the development site.
- 15 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 16 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 17 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 18 To ensure a satisfactory development and that the landscaping of the development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 19 In the interests of good Arboricultural practice.
- 20 In the interests of good Arboricultural practice.
- 21 To prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 22 To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.

- 23 To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
- 24 To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
- 25 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 26 To prevent any undue impact on air quality that may arise with the development, in accordance with the aims of Policy ENV11 of Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014)
- 27 To ensure a satisfactory programme of archaeological work has been approved to ensure that the development is constructed in accordance of the impacts defined within the Environmental Statement.
- 28 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

### **Notes to Applicant**

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will

be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority for details.

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to  $Q_{bar}$  for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

**173 VARIATION OF S106 PLANNING OBLIGATIONS- SPRING LANE, LAMBLEY**

Residential Development (Up to 150 Dwellings).

**RESOLVED:**

That the Corporate Director/Service Manager for Housing be authorised to instruct the Service Manager, Legal Services to undertake the necessary work to prepare and finalise a Deed of Variation to the Planning Obligation lodged with the Borough Council dated 22nd May 2015, in relation to the development permitted by Planning Permission no: 2014/0740.

**174 TREE PRESERVATION ORDER- WHITTINGHAM ROAD, MAPPERLEY.**

At the Council meeting held on 20 April 2016 a petition was presented, under the Council's Petitions Scheme, entitled 'We the undersigned, support the application, & implementation, of a Tree Preservation Order, on the 46 year old tree, in the bottom right-hand corner of the garden of 34 Whittingham Road, Mapperley, Nottingham, NG3 6BJ.

Council determined that the matter should be referred to the Planning Committee.

**RESOLVED:**

To not grant a Tree Preservation Order for the following reasons:

In the opinion of the planning department, due to the location of the tree in a rear amenity area of a private dwelling, the less than substantial extent to which the tree can be seen by the public in the area, and the tree's size and form the tree would not warrant an order in this instance.

**175 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**176 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**177 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.00 pm

Signed by Chair:

Date:

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## **PLANNING COMMITTEE PROTOCOL**

### **Introduction**

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be reached, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is empowered by the Borough Council, as the democratically accountable decision maker, to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. If a Councillor has any doubts about the application of this Protocol to their own circumstances they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.
4. This protocol should be read in conjunction with the Council's Member's Code of Conduct, Code of Practice for Councillors in dealing with Planning Applications, briefing note on predetermination and the Council's Constitution.

### **Disclosable Pecuniary and Non- Pecuniary Interests**

5. The guidance relating to this is covered in the Council's Member's Code of Conduct and Code of Practice for Councillors in dealing with Planning Applications.
6. If a Councillor requires advice about whether they need to declare an interest, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Pre-determination and Predisposition**

7. Councillors will often form an initial view (a predisposition) about a planning application early on in its passage through the system whether or not they have been lobbied. Under Section 25(2) of the Localism Act 2011 a Councillor is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take in relation to a matter, and, the matter was relevant to the decision.
8. This provision recognises the role of Councillors in matters of local interest and debate, but Councillors who are members of the Planning Committee taking part in a decision on a planning matter should not make up their minds how to vote prior to consideration of the matter by the Planning Committee and therefore should not

comment or make any commitment in advance as to how they intend to vote which might indicate that they have a closed mind (predetermination).

9. If a Councillor has made up their mind prior to the meeting, or have made public comments which indicate that they might have done, and is not able to reconsider their previously held view, then they will not be able to participate on the matter. The Councillor should declare that they do not intend to vote because they have (or could reasonably be perceived as having) judged the matter elsewhere. The Councillor will be then not be entitled to speak on the matter at the Planning Committee, unless they register to do so as part of the public speaking provision. For advice on pre-determination and predisposition, Councillors should refer to the Code of Practice for Councillors in dealing with Planning Applications in the Council's Constitution, and seek the advice of the Council Solicitor and Monitoring Officer.

### **Lobbying**

10. The guidance relating to this is covered in the Code for dealing with Planning Applications.
11. If a Councillor requires advice about being lobbied, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Roles at Planning Committee**

12. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Councillors may also request that their votes are recorded.
13. The role of Officers at Planning Committee is to advise the Councillors on professional matters, and to assist in the smooth running of the meeting. There will normally be a senior Planning Officer, plus a supporting Planning Officer, a senior Legal Officer and a Member Services Officer in attendance, who will provide advice on matters within their own professional expertise.
14. If they have questions about a development proposal, Councillors are encouraged to contact the case Officer in advance. The Officer will then provide advice and answer any questions about the report and the proposal, which will result in more efficient use of the Committees time and more transparent decision making.

### **Speaking at Planning Committee**

15. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
16. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council

about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. Anyone intending to speak at Committee must register to do so in writing, providing name and contact details, by 5pm three working days before the Committee meeting. As most Committee meetings are currently held on Wednesdays, this is usually 5pm on the Friday before. A maximum of 3 minutes per speaker is allowed, unless extended at the Chair of the Committee's discretion, so where more than one person wishes to address the meeting, all parties with a common interest should normally agree who should represent them or split the three minutes between them. No additional material or photographs will be allowed to be presented to the committee, and Councillors are not allowed to ask questions of speakers.

17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
18. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

### **Determination of planning applications**

19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the application, a vote will be taken.
20. Whilst Officers will provide advice and a recommendation on every application and matter considered, it is the responsibility of Councillors, acting in the interests of the whole Borough, to decide what weight to attach to the advice given and to the considerations of each individual application. In this way, Councillors may decide to apply different weight to certain issues and reach a decision contrary to Officer advice. In this instance, if the Officer recommendation has been moved and seconded but fails to be supported, or if the recommendation is not moved or seconded, then this does not mean that the decision contrary to Officer advice has been approved; this needs to be a separate motion to move and must be voted on. If, in moving such a motion Councillors require advice about the details of the motion, the meeting can be adjourned for a short time to allow members and Officers to draft the motion, which will include reasons for the decision which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. Councillors may move that the vote be recorded and, in the event of a refusal of planning permission, record the names of Councillors who would be willing to appear if the refusal was the subject of an appeal.

Oct 2015

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## **Report to Planning Committee**

<b>Application Number:</b>	2015/1301
<b>Location:</b>	130B Main Road, Ravenshead, Nottinghamshire, NG15 9GW.
<b>Proposal:</b>	Detached garage and garage conversion
<b>Applicant:</b>	Mr G Flint
<b>Agent:</b>	Mr A Hill
<b>Case Officer:</b>	Christina Dinescu

### **Background**

This application is being referred to the Planning Committee at the request of the Delegated Members Panel.

### **Site Description**

No. 130B Main Road is a detached two-storey dwelling with an integral garage measuring internally 4.3m in width and 5.6m in depth, and an additional parking space in front of the dwelling, towards no.126A Main Road.

The site is adjoined by other detached dwellings at no.130A, no. 132A, no. 132B and no. 126A Main Road, and a play area to the rear.

The site level is higher than the highway level and no.130A dwelling level is lower than no.130B dwelling level.

### **Relevant Planning History**

2000/1314 - Planning Permission was granted in November 2000 to erect 4 new dwellings and replacement of fifth.

Following consultation with the County Council Highways Authority amendments to the internal turning arrangements were made to the landscaped area between Plots 4 and 5 (130A and 130B Main Road) that was reduced in order to provide additional space for delivery traffic to manoeuvre / turn around at the end of the private drive.

Condition 5 attached to app. Ref. no. 2000/1314 states:

- The garages shown to be provided on the approved plan shall remain in use

for garage purposes ancillary to the dwelling houses which they serve. They shall be kept available for the accommodation of private vehicles at all times and shall not be used for any other purpose unless otherwise agreed in writing by the Borough Council as local planning authority.

2015/0188 – Planning Permission was refused for the conversion of the integral garage into habitable space incorporating a front extension, and a new detached garage. The grounds for refusal were as follows:

- Net loss of usable off street car parking provision;
- Detrimental impact on residential amenity and encroachment onto the shared turning area for service vehicles.

### Proposed Development

The proposal seeks Planning Permission to enclose the front canopy to create a porch, conversion of the integral garage into habitable room and a detached garage over the existing parking space.

The proposed front porch would have pitched roof and would measure 1.115m in depth, 3.0m in width, 2.4m at eaves height and 3.0m at maximum roof height from ground level.

The proposed detached garage with hipped roof and a gable towards no.130A Main Road, would measure 5.9 metres in width, 5.7 metres in depth, 2.65 metres at eaves height and 4.7 metres at ridge height from ground level. The garage would be equipped with a roller shutter door and it would be positioned in front of the dwelling, at a distance of 3.1m, on the right hand side of the property. The internal measurements would be 5.45m in width x 5.227m in depth.

The proposed retaining wall, between 130B and 130A Main Road, would measure 1.3m in length, 0.85m in height from 130B level and 1.3m in height from 130A level.

The proposal would include altering the existing low level retaining wall towards no.132B Main Road and the one in front of the existing access to create a 4.8m wide hardstanding area at its narrowest point.

Materials are specified as to match existing according to application form.

### Consultations

Ravenshead Parish Council – Object to this application as per the previous application; no improvements in the submission and limited neighbouring shared space, and drainage problems.

It is noted that previous objection refers to application 2015/0188 and the reason for objection at that time was “over development of the site”.

The Highway Authority (Notts County Council) - The drive is private and not in the control of the Highways Authority.

North Fire Safety – No comments received.

Fire Protection South – No comments received.

Adjoining neighbours have been notified and a site notice posted – six letters of representation from two adjoining neighbours were received as a result and the objections are outlined as follows:

- Submitted drawing almost identical with those rejected earlier this year;
- Original development of four dwellings with two of them (no.130A and no. 130B) to have integrated garages due to smaller plots.
- Access driveway and courtyard to remain as it was originally approved; Construction of the garage would mean parking vehicles in front of them and therefore obstruction of shared courtyard.
- Concern about emergency services accessing and exiting the property and also turning manoeuvres for ambulance or fire engine.
- The proposed wall between the garages would restrict the movement of neighbours' vehicles and service vehicles in case of an emergency;
- Submitted plans do not show the present garden retaining walls which prevent flooding;
- Where would visitors to 130B park their cars?
- Shared area to be affected.

### **Planning Considerations**

In my opinion the main planning considerations in determining this application are the impact of the proposals on the safe and convenient circulation of pedestrians and vehicles in respect of the shared turning area, the impact on neighbouring amenities and the visual impact of the proposals.

At the national level the National Planning Policy Framework (NPPF) is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development, paragraphs 56-68 are particularly relevant to this application and relate to "Requiring good design".

At local level, Gedling Borough Council at its meeting on 10<sup>th</sup> September approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. The following policy is relevant:

- Policy 10 – Design and Enhancing Local Identity

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plan. The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant:

- ENV1 – Development Criteria;
- H10 – Extensions;

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable

development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) Make a positive contribution to the public realm and the sense of place;
- b) Create attractive, safe, inclusive and healthy environment;
- c) Reinforce valued local characteristics;
- d) Be adaptable to meet changing needs of occupiers and the effects of climate change;
- e) Reflect the need to reduce the dominance of motor vehicles.

Policy ENV1 requires development to be of a high standard of design, in keeping with the scale, bulk, form, layout or materials and should not cause unacceptable harm to the amenity of neighbouring residents. In addition Policy ENV1 requires appropriate parking and circulation of pedestrian and vehicles to be made.

Policy H10 requires the appearance of the proposal to be kept with the scale and character of the dwelling to be extended and not to cause unacceptable harm to the amenities of nearby residents.

In respect to parking, regard should be had to the Borough Councils Supplementary Planning Document “Parking Provision for Residential Developments” (May 2012). Paragraph 4.7 of the SPD states that, planning permission should not be granted for extensions that result in a loss of parking provision for a property. When referring to the SPD a dwellinghouse with 4 or more bedrooms in a rural area is required to provide 3 off-street car parking spaces. The proposal is to replace the existing parking space with a detached garage and retain the existing off street car parking provision in front of the existing garage proposed to be converted into habitable room. I note the proposal also includes altering the low level retaining wall towards the neighbouring property at no. 132B Main Road that would create a hardstanding area of 4.8m in width at its narrowest point.

When referring to the Nottinghamshire 6cs Highway Design Guide I note that the required width for an off street car parking space is 2.4 metres and therefore two vehicles can be accommodated in front of the converted garage as proposed. I am mindful about the neighbour’s comments regarding the requirement of a 0.5m wider hardstanding area in the case of a parking space bounded by a wall, however, given the low height of the retaining wall and the fact that the proposal now includes widening the hardstanding area by altering the retaining wall, it is my opinion the proposal is in accordance with the Nottinghamshire 6cs Highway Design Guide.

Given that a third car can be parked in the proposed detached garage I am satisfied it would not result in a net loss of parking spaces and that 3 vehicles could successfully be parked off street in line with the SPD. Should planning permission be forthcoming, I would suggest a condition be attached requiring the garage door to remain as a roller shutter door and a restrictive condition preventing vehicles being parked in front of the proposed detached garage at all times, in order to avoid

encroachment onto the shared turning area.

I note the front porch extension would involve enclosing the existing canopy and would incorporate a mono-pitched roof, as such; I am satisfied the proposed extension would be visually acceptable and in keeping scale and character with the property itself and the wider setting. I am also satisfied, given the size of the proposed front porch extension; it would not affect the shared turning area.

Given the plot orientation and relationship with neighbouring properties, it is my opinion the proposed detached garage would be visually acceptable and in keeping scale and character of the property and the wider setting and it would have no significant undue overbearing, overshadowing and overlooking impact on any adjoining residential properties. I also note that the proposed garage reflects the design of the garages opposite the application site.

In my opinion, the proposed development would have no undue impact onto the shared turning area. The proposal would result in the existing parking space being occupied by the proposed detached garage, with the restriction of having cars parked in front of it, and the proliferation of the existing situation of having cars parked in front of the existing garage proposed to be converted into habitable room.

I note the neighbour's comments with regards to access for fire engines and emergency vehicles. Two emergency services responsible for two different areas were consulted in respect to the turning area. However, in my opinion the proposal would not affect the existing shared area therefore the turning area as designed originally in 2000 under ref. no. 2000/1314.

I am mindful of the Parish Council and neighbouring representations. However, the application has been amended to make the proposal acceptable and to mitigate the adverse impacts onto the shared turning area. The officer advice which was considered and reflected in the current application has resulted in a reduction in length of the retaining wall, a garage equipped with a roller shutter door and no additional extension in front of the proposed converted integral garage.

For the reasons set out above I consider the proposal to accord with Policy 10 of the Aligned Core Strategy 2014 and saved Policies ENV1 and H10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) and Government advice contained within the NPPF. I would therefore recommend that Planning Permission be granted.

Accordingly I recommend that planning permission is granted.

### **Recommendation:**

**GRANT PLANNING PERMISSION subject to conditions:-**

### **Conditions**

1. The development must be begun not later than three years beginning with the

date of this permission.

2. The development shall be carried out in accordance with the application form, site location plan and deposited plans, drawing no's 2015-05-A, 2015-05-B, 2015-05-D, received on 5th November 2015, and drawing no' 2015-05-G titled "Site Plan Existing Landscape", "Site Plan Proposed" received on 29th January 2016.
3. The materials to be used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
4. The detached garage hereby approved shall be equipped with a roller shutter door for the life of the development unless otherwise agreed in writing by the Borough Council.
5. The detached garage shown to be provided on the approved plan shall remain in use for garage purposes ancillary to the dwelling house which it serves. It shall be kept available for the accommodation of private vehicles at all times and shall not be used for any other purpose unless otherwise agreed in writing by the Borough Council as local planning authority.
6. The shared turning area in front of the proposed detached garage shall remain free of parked vehicles for the life of the development.
7. The existing area to front of the converted integral garage hereby approved shall be left available for the parking of 2 vehicles for the life of the development unless otherwise agreed in writing by the Borough Council. The space available for off street car parking shall measure a minimum of 4.8 metres in width and 5 metres in depth.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that adequate off street car parking provision is available to serve the development in accordance with the Gedling Borough Council Car Parking Provision for Residential Dwellings SPD.
6. In the interests of road safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved

2014).

7. To ensure that adequate off street car parking provision is available to serve the development in accordance with the Gedling Borough Council Car Parking Provision for Residential Dwellings SPD.

### **Reasons for Decision**

In the opinion of the Borough Council, the proposed development would have no significant undue impact on neighbouring residential amenity or the locality in general. The proposal is of a size and design in keeping with the existing dwelling and its wider setting. The development therefore complies with Policies ENV1 and H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), the Supplementary Planning Document "Parking Provision for Residential Developments" (2012), Policy 10 of the Aligned Core Strategy (September 2014) and advice contained within the NPPF.

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.gedling.gov.uk](http://www.gedling.gov.uk). The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less than 100 square metres.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

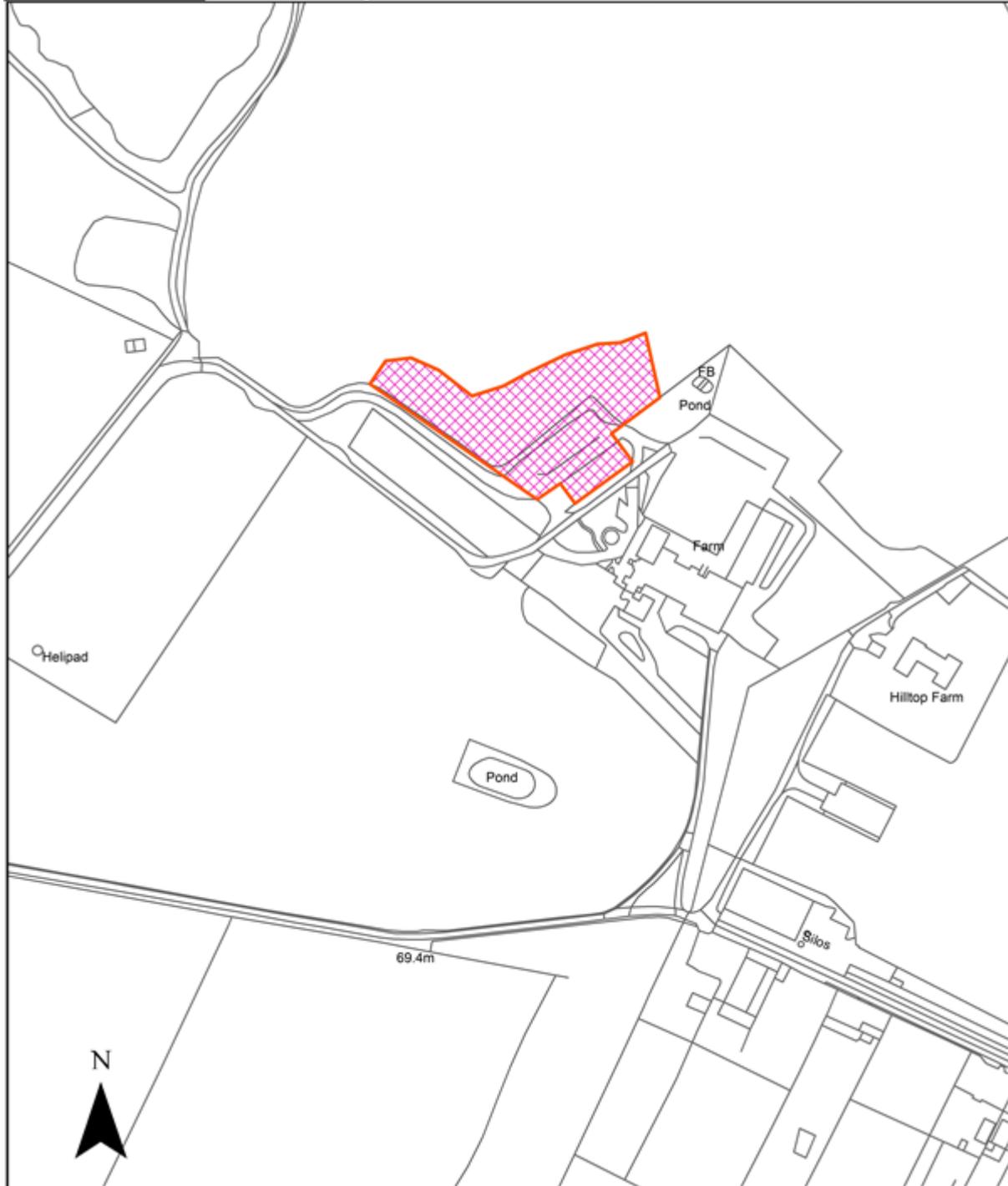
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.



**Application Number:** 2015/0423

**Location:** Adjacent Goosedale Farm, Goosedale Lane, Bestwood.



**NOTE:**

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 100021248  
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## **Report to Planning Committee**

<b>Application Number:</b>	2015/0423
<b>Location:</b>	Adjacent Goosedale Farm, Goosedale Lane, Bestwood.
<b>Proposal:</b>	Full Planning Permission for the erection of nine holiday lodges and the change of use of hardstanding area to car park.
<b>Applicant:</b>	Goosedale Ltd
<b>Agent:</b>	GraceMachin Planning & Property
<b>Case Officer:</b>	David Gray

### **1.0 Site Description**

- 1.1 The application site, which measures 0.99ha (including the private drive) relates to an area of arable land that has previously been taken out of agricultural use and since become an area of rough pasture with scrub/field margins. Immediately to the southeast of the site is the Goosedale Conference and Banqueting Centre.
- 1.2 The main body of the application site lies some 40 metres from the northwest of Goosedale Farm, otherwise known as 'Goosedale Conference and Banqueting' which is also in the ownership of the applicant. Between the application site and the Conference centre there is a large corrugated metal agricultural building reminiscent of the previous use of the site as a Farm currently in use as a warehouse supporting the business.
- 1.3 Vehicular access to the site is provided from Moor Road via Goosedale Lane, a private drive which also serves as a public footpath known as Bestwood St Albans Parish Footpath No. 4.
- 1.4 In terms of topography, the site land levels rise up towards the Goosedale Farm complex. To the south of the application site is a mature band of woodland.
- 1.5 With regard to the Proposals Map of the Gedling Borough Replacement Local Plan (2005), the site is located within the Green Belt and the Greenwood Community Forest.

### **2.0 Proposed Development**

2.1 Full planning permission is sought for the erection of nine holiday lodges on the following basis:

Type 1

- 2x 101 sq. m. (3 bedroom)
- 1x 124 sq. m. (4 bedroom)

Type 2

- 1x 108 sq. m. (2 bedroom)

Type 3

- 3x 108 sq. m. (2 bedroom)
- 1x 126 sq. m. (3 bedroom)
- 1x 136 sq. m. (4 bedroom)

2.2 All but one of the lodges are single storey in design constructed using standard timber frame building methods with sedum/grass roofs. The proposal seeks to make use of modern external construction materials include horizontal larch cladding, vertical wooden fins (to allow light and to shade), black bricks, glazed floor to ceiling panels and grey aluminium/foil wrapped UPVC windows and doors. A canopy on each lodge provides a covered seating area which is defined with a frameless glass balustrade.

2.3 The Design and Access Statement comprising part of the application documentation states that, 'The lodges can include the following environmentally friendly credentials: - cladding, green roofs, rainwater harvesting and ground source heating'.

2.4 The lodges have all been positioned on the site to face towards the lakes and are arranged in two rows with a one-way compacted stone road system running through the centre of the site and around the south eastern perimeter. All paths and roadways will be lit approximately every 10 metres using solar bollard type way finding lighting.

2.5 Each lodge has been allocated two vehicle parking spaces and a dedicated cycle storage facility on the basis of 1 per bedroom.

2.6 The proposed holiday lodges will be constructed on land adjacent the existing lakes with the intention of letting them for general holiday accommodation and, during busy times, will provide an overspill accommodation facility for people attending weddings, conferences etc. at Goosedale.

2.7 The detailed application is supported by the following:

- Application form and Site Location Plan;
- Combined Planning and Design and Access Statement;
- Phase 1 Habitat Survey and Protected Species Assessment;
- Soft Landscaping Scheme;
- Proposed Plans and Elevations;

- Typical Site Section;
- Sun Study Diagrams;
- Colour Images; and
- Photographic Viewpoints (x2).

2.9 Further information was requested from the agent during consideration of the application with reference to 'very special circumstances' owing to the site's Green Belt location. Subsequently, letters of further support were received from East Midlands Chamber, A2M Architects, Christie and Co Business Intelligence, Mintel report from the London School of Economics and TDX Group – the latter a previous customer of Goosedale Conference and Banqueting.

2.10 Nottinghamshire Wildlife Trust initially objected to the planning application but subsequently removed its objection following the provision of further information by the applicant's Ecologist.

### **3.0 Consultations**

#### **3.1 Nottinghamshire Wildlife Trust –**

The submitted ecology report (Brindle and Green, updated) gives an overview of habitats present and an assessment of the potential ecological impact with respect to the revised site location. The Wildlife Trust are satisfied with the methodology and conclusions of the report. The recommendations given in Section 7 of the 2015 report (BG 15.174) should be secured by way of planning conditions, should the application be approved.

#### **3.2 Natural England – No comments to make.**

3.3 Planning Policy – Development Management will need to be satisfied that the proposal is appropriate development in the Green Belt and would not harm the openness of the Green Belt. In addition, the proposal should meet the criteria set out in Policies R7 and R8 of the Replacement Local Plan regarding leisure uses and tourist related accommodation.

3.4 Economic Development – Economic Development views this application positively for the following reasons: the job creation attached to the development; it supporting the local tourism sector and also due to it providing employment in rural location. Unemployment in the Bestwood area has increased recently so the Council supports the creation of new jobs that are within easy reach of local residents.

The development of on-site accommodation is going to increase the visitor numbers to the area which in turn would support businesses and tourist attractions in the local economy.

Goosedale has identified that they are willing to enter into a Local Labour Agreement with GBC to support local employment and training opportunities

during the term of the build (and, beyond, if possible). Based on the size of the site and the jobs attached to the new development GBC will use CITB's Client Based Approach to determine the number of employment and skills key performance indicators to be delivered during the term of the build. Economic Development would welcome the opportunity to meet with representatives from Goosedale to get this process underway. Goosedale will need to ensure that contracts with construction contractors outline that employment and skills related activities will form part of the build.

- 3.5 Arboricultural Officer – No trees would be affected by the proposed development.
- 3.6 Nottinghamshire County Council Highways – Goosedale Lane is a wide private access which is suitable to serve the holiday homes, together with the holiday homes being quite a distance from the highway network, and therefore would not affect the highway in this instance.
- 3.7 Nottinghamshire County Council Planning Policy/Landscape – No comments.
- 3.8 Nottinghamshire County Council Rights of Way – The application may impact on Bestwood St Albans Parish Foot Path No 4 (Goosedale Lane). Whilst not an objection, the availability of the footpath should not be affected or obstructed in any way by the proposed development unless subject to appropriate diversion or closure orders; potential path users should not be impeded or endangered in any way; NCC Rights of Way should be consulted in any re-surfacing or gating works.
- 3.9 Severn Trent Water Ltd – No objection subject to an informative regarding sewage.
- 3.10 Scientific Officer – recommend an informative to be attached regarding the provision of an electrical charging point for vehicles.
- 3.11 Waste Services – No comments received.
- 3.12 Bestwood Parish Council – Bestwood Parish Council welcome this development and particularly its intension to recruit locally as well as the eco-friendly features of the design.
- 3.13 Neighbouring properties were notified of the proposal and the application advertised as a departure via a Site Notice and in the local press – one letter of objection has been received as a result and is outlined as follows:
- Concerned about rural aspect being changed and the resultant effect it will have on the equity of my property;
  - Concerns over additional comings and goings of vehicles;
  - Will the holiday homes be used strictly for tourists;
  - Are the lodges of permanent construction;
  - A map showing the site of the buildings and answers to my concerns would be appreciated;

- If there is no negative impact on the security and tranquillity of my home then I will look to retract my objection.

#### **4.0 Planning Considerations**

4.1 The main planning considerations in the determination of this application are the impact of the development on the Green Belt, the public benefit of the proposal, the principle of the proposal, the design of the proposal (including access) and the impact on ecology/wildlife.

4.2 The relevant national policy guidance in respect of these matters is set out in the National Planning Policy Framework (March 2012). At the heart of the NPPF is a presumption in favour of sustainable development. The core planning principles set out in the guidance states at paragraph 17: -

Planning should:

- 'proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

4.3 In particular the following chapters are relevant in considering this application:

1. Building a strong, competitive economy (paragraphs 18 - 22);
3. Supporting a Prosperous Rural Economy (paragraph 28);
7. Requiring good design (paragraphs 56 – 68); and
9. Protecting Green Belt Land.

When delivering sustainable development paragraph 19 states:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'

4.4 Paragraph 28 of the NPPF addresses development in rural areas and states that, 'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
  - promote the development and diversification of agricultural and other land-based rural businesses;
  - support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
  - promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship’.
- 4.5 Paragraph 56 identifies that the Government attaches great importance to the design of the built environment and states that, ‘Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’.
- 4.6 Paragraph 58 then advances to state that, ‘Planning policies and decisions should aim to ensure that developments, inter alia, respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- 4.10 Crucial in the consideration of the principle of this planning application is section 9 of the NPPF with regard to ‘Protecting Green Belt Land’.
- 4.11 Paragraph 79 of the NPPF states that, ‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’.
- 4.12 Paragraph 80 identifies the five purposes that Green Belt serves as follows:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.13 Paragraph 87 states that, ‘As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’. In this context, paragraph 88 goes on to state that, ‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations’.

- 4.14 Paragraph 89 of the NPPF states that, 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are, inter-alia, provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'.
- 4.15 Gedling Borough adopted the Aligned Core Strategy (ACS) on 10<sup>th</sup> September 2014 and this now forms part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the ACS.
- 4.16 The following ACS policies are relevant:
- Policy A: Presumption in Favour of Sustainable Development
  - Policy 2: The Spatial Strategy
  - Policy 3: Green Belt
  - Policy 10: Design and Enhancing Local Identity
  - Policy 13: Culture, Tourism and Sport
  - Policy 17: Biodiversity
- 4.17 The following saved policies of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) are also relevant:
- ENV1 (Development Criteria)
  - R7 (Sherwood Forest/Greenwood Community Forest)
  - R8 (Tourist Accommodation)
- 4.18 In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -
- a) The public benefit of the proposal;
  - b) The principle of developing the site within the Green Belt;
  - c) Whether the design and access is acceptable;
  - d) Whether there is an adverse impact on the Local Landscape
  - e) Whether there is an impact on Ecology/Wildlife.

Each of the above aspects is considered in detail below.

## **5.0 The public benefit of the proposal**

- 5.1 At the heart of the NPPF there is a presumption in favour of sustainable development with paragraph 28 addressing development in rural areas. There is a strong emphasis on the need to assist economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This incorporates the need to support sustainable rural tourism and leisure developments that benefit businesses,

communities, and visitors, and which respect the character of the countryside.

- 5.2 Policy R8 of the Replacement Local Plan states tourist related accommodation should be concentrated in built up areas and larger villages. Outside these areas tourist accommodation should be where: -
- a. it involves the re-use and adaption of an existing building;
  - b. it accords with Green Belt policy; and
  - c. it would not be seriously detrimental to residential amenity in nearby property.
- 5.3 Policy R7 refers to leisure uses within the Sherwood Forest Plan area and the Greenwood Community Forest. The Policy states that planning permission can be granted for leisure uses provided that: -
- a. on sites outside urban areas and villages proposals should accord with Green Belt Policy;
  - b. it does not cause traffic, or parking problems which would harm the character of the countryside;
  - c. it would not adversely affect the ecology or environment of sites of nature conservation value or archaeological or historic importance;
  - d. it preserves the best and most versatile agricultural land; and
  - e. access is available by a choice means of transport.
- 5.4 The application has been promoted on the basis that it would both complement the existing facilities at Goosedale (i.e. Goosedale Farm, otherwise known as ‘Goosedale Conference and Banqueting’) as well as providing general high quality tourist accommodation in its own right. As the Design and Access Statement indicates, there is a wealth of tourist related attractions within the wider area, including Papplewick Pumping Station, Newstead Abbey and Sherwood Forest.
- 5.5 In the above context, the proposal seeks to provide a new tourist venture to attract people to Gedling from all over the UK and, during busy times, will also provide an overspill accommodation facility for people attending weddings, conferences and evening dinners at Goosedale.
- 5.6 The financial benefits of the proposal are acknowledged insofar as Goosedale will receive further significant investment, full and part time jobs will be created at Goosedale and other indirect jobs will be created in the local economy through what is known as “the multiplier effect”. Moreover, it is also suggested that anyone staying in the proposed lodges will provide support for local amenities and facilities including shops and restaurants.
- 5.7 In this regard, the benefits of the proposal towards supporting strong economic rural growth are welcomed. I also note the comments from economic development in which there is an established need to create jobs in the local area as unemployment has risen in the area. In this regard it is welcomed that the business venture would provide jobs for local people and that this can be secured by conditions requiring a local employment

agreement using the CITB's Client Based Approach.

- 5.8 Linked to the assessment of the proposal against Green Belt policy, further information was requested to justify the location of the proposal (as discussed in the next section). Subsequently, letters of further support were received from East Midlands Chamber, A2M Architects, Christie and Co Business Intelligence, and TDX Group, a previous customer of Goosedale Conference and Banqueting. I am of the opinion that the additional detail provided provides greater justification to the proposal in terms of generally promoting a strong rural economy.
- 5.9 In my opinion the need to support a prosperous rural economy should be given substantial weight in the planning balance. I consider that the adverse impact on the openness would be limited to the immediate surroundings and in part offset by the demolition of the large warehouse building on site. Therefore the impact on the openness of the Green Belt in this location would be less than substantial and would only cause a limited degree of encroachment. The impact on the openness of the Green Belt and Encroachment (Chapter 6.0) needs to be balanced against the public benefits of the proposal, as discussed in this chapter. I consider that, on balance, the limited impact on the openness and encroachment of the Green Belt in this location is outweighed by the public benefit of the development. I therefore consider there to be a 'very special circumstances' to justify the proposal in this instance.
- 5.10 Whilst I consider that very special circumstances exist these need to be balanced against the overall harm to the Green Belt by means of inappropriateness, impacts on openness and other constraining factors.

## **6.0 The principle of the development within the Green Belt**

- 6.1 From a principle perspective Chapter 9 'Protecting Green Belt Land' of the NPPF is the most relevant policy basis for assessing this application. Paragraph 79 of the NPPF states that, 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.
- 6.2 Paragraph 81 of the NPPF states inter-alia: 'local planning authorities should plan positively to enhance the beneficial use of Green Belt, such as looking for opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or improve damaged and derelict land.'
- 6.3 Paragraph 89 of the NPPF states that, 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are, inter-alia, provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'. It is against this policy background that the applicant's

agent seeks to justify the proposal.

- 6.4 The construction of nine holiday lodges could be regarded as an appropriate facility for outdoor sport/recreation; however, the development is to support an existing rural business that does not cater for sport/recreation directly. I am therefore of the opinion that the construction of the holiday lodges would be inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.5 Substantial weight should be given to ACS Policy 3 as far as it is relevant to this proposal.
- 6.6 Whilst there is no specific definition of openness in the NPPF, this is a concept which relates to the absence of building; it is land that is not built upon. Openness is therefore epitomised by the lack of buildings, but not by buildings that are unobtrusive, camouflaged or screened in some way. Any construction harms openness quite irrespective of its impact in terms of obtrusiveness or its aesthetic attractions or qualities.
- 6.7 Measures taken to limit the intrusiveness of a development in terms of its visual impact must not affect the assessment of openness, but may be relevant to the very special circumstance balancing exercise. Openness and visual impact are different concepts. This analysis is supported by the Courts which have held that it is wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact (*Timmins & Anor v Gedling Borough Council*).
- 6.8 In applying the requirements of paragraph 87 of the NPPF, an applicant is required to prove 'very special circumstances'. In this context, paragraph 88 goes on to state that, 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.
- 6.9 In seeking to work positively and proactively, as previously mentioned, the agent was given an opportunity to provide further information during consideration of the application with reference to 'very special circumstances'. Subsequently, letters of further support were received from East Midlands Chamber, A2M Architects, Christie and Co Business Intelligence, and TDX Group, a previous customer of Goosedale Conference and Banqueting.
- 6.10 The Design and Access Statement identifies that there are public benefits to the proposal, including the economic benefits sustaining the existing rural enterprise at Goosedale Conference and Banqueting Centre and the local employment agreement providing jobs in rural areas.

- 6.11 The project Architect considers that the proposal will significantly enhance its immediate setting through materiality, positioning, visual presence and sustainability. The design, biodiversity benefits and the use of renewable technologies are also emphasised in support of the proposal. Christie and Co Business Intelligence also supplied information on the applicant's behalf highlighting the benefits of the availability of further accommodation to Goosedale in terms of wedding and conference events, the expected popularity of the lodges with regard to location next to fishing lakes and the general assistance to the tourist industry in Nottinghamshire and the East Midlands.
- 6.12 Supporting information submitted with the application sets out that Goosedale Conference and Banqueting is a successful expanding business within a rural location. Historically, there have been a number of planning applications relating to the wider site and immediate surroundings. These applications related to the conversion improvement and extension of the facilities at Goosedale. The application site is a locally, regionally and nationally popular Wedding Venue and Conference facility. Goosedale currently has no overnight accommodation. The applicant has done extensive work on the business plan for the facility which highlighted that the business is losing significant business to other venues outside of Gedling Borough, such as Swancar Farm Country House and Kelham Hall who are able to offer overnight accommodation for guests. This work has highlighted that the business loses some 30% of enquiries due to the lack of accommodation.
- 6.13 Given the information received and the modelling work that was undertaken I am satisfied that an economic benefit has been highlighted from the need to provide overnight accommodation at the facility. It is my opinion that the proposal for overnight accommodation would assist in diversifying and expanding on the existing business use at the site.
- 6.14 Through extensive consultation with the local planning authority various alternatives have been explored to provide the accommodation on site within existing buildings. The conversion of the existing warehouse on site has been explored; however, this form of overnight accommodation would not fulfil the requirements of the business plan as it does not offer flexibility at quieter times when there are no conferences or weddings. This would be when the focus of the facility would be to provide tourist accommodation for individual groups using the fishing lakes or visiting nearby tourist attractions.
- 6.15 During the processing of the application revised plans have been received that relocated the proposed holiday lodges closer to the existing curtilage of Goosedale, to reduce the encroachment into open countryside and to closely relate the proposed lodges to the existing development on the site. As part of the revised proposal the existing warehouse on site would be removed and the holiday lodges would be integrated into the landscape.
- 6.16 In regard to overall built development across the site, the proposed new lodges would incorporate a gross external floor area of 1046 sqm at ground level. The existing warehouse building proposed for demolition has a floor

area of 454 sqm and therefore the increase in built footprint offered by this proposal equates to 592 sqm.

- 6.17 In terms of built volume, the existing warehouse building totals some 2462 m<sup>3</sup>. This building would be removed and replaced with the lodges which would have a volume of 2661 m<sup>3</sup>. Therefore the increase in built volume offered by this proposal is 199 m<sup>3</sup>. This equates to an 8% net increase in built volume as a result of the development which in my opinion would be a modest increase to the current built form on site and would result in less than substantial encroachment into the open countryside in this location, adjacent to the existing business. I would also add that that the maximum heights of the lodges would be significantly lower than the warehouse and they would be integrated in the surrounding landscape using the existing topography, green roofs and natural materials.
- 6.18 The applicant's agent considers that the natural topography of the site and the tree planting that is to be introduced around the holiday lodges means that the proposal will have minimal intrusion within the existing landscape. In addition, the agent considers that any adverse impact would be isolated to the immediate vicinity and would be well contained within the existing mature landscape setting. In this connection, the agent concludes that, 'Therefore the impact on the openness would be limited to the immediate surroundings and to those using the site. Given the location adjacent to an existing business, when factoring in the removal of the warehouse I consider that the proposed development would only have limited impact on the openness of the Green Belt in this location and would also only cause a limited degree of encroachment.
- 6.19 The applicant's agent identifies a limited impact on the openness of the Green Belt and a limited degree of encroachment and that these matters need to be balanced against the public benefits as very special circumstances.
- 6.20 In conclusion the following have been identified as being capable of forming the very special circumstances required to permit inappropriate development in the Green Belt:
- Diversification of an existing rural business;
  - The provision of a local labour agreement between Goosedale and Gedling Borough Council and to provide jobs for 12 full time jobs and 15 part time jobs for local people;
  - Provision of essential facilities for leisure and tourism;
  - The limited impact on encroachment and openness;
  - The less than substantial visual harm of the development.

## 7.0 Design and Access

- 7.1 The application suggests that the lodges are bespoke in their design, setting a new standard for this type of accommodation within the East Midlands. It is clear that a significant amount of time has been spent working on the specific design and appearance of the proposal in order to create a high quality

development.

- 7.2 With regard to design matters only, I am of the opinion that the lodges are of a high standard of design that are sympathetic to the local rural context and would not adversely affect the area by reason of their scale, bulk, form, layout or materials. Moreover, as the lodges include the following environmentally friendly credentials: - wooden cladding, green roofs, rainwater harvesting and ground source heating the proposal is adaptable to meet the effects of climate change.
- 7.3 With regard to access, the proposal has been designed and laid out with full regard to pedestrians and vehicles therefore would not affect the highway in this instance. Each lodge has been allocated two vehicle parking spaces and a dedicated cycle storage facility on the basis of 1 per bedroom which I consider to be acceptable.
- 7.4 The Highway Authority acknowledges that Goosedale Lane is a wide private access which is suitable to serve the holiday homes and this, together with the holiday homes being quite a distance from the highway network, would not affect the highway in this instance.
- 7.5 In the above context, I am of the opinion that the design of the proposal complies with the requirements of ACS Policy 10, Policy ENV1 a, b and c of the RLP and paragraphs 56 and 58 of the NPPF.
- 7.6 I note the comments from the Highway Authority and should planning permission be forthcoming I would suggest attaching a condition restricting the development for the purposes of holiday lets and not as permanent residential dwellings.

## **8.0 Local Landscape**

- 8.1 When assessing the impact of the development on the wider character of the area I have given careful consideration to the location of the proposed development and balanced this against the loss of the warehouse. It is my opinion that the proposed development when viewed against the backdrop of the existing conference centre, the mature vegetation, and the undulating topography would have a moderate adverse impact on the landscape in the immediate vicinity by reason of the site area and scale. However; it is my view that this impact would remain local and would not extend to a significant wider landscape impact outside of this area. I also consider that when viewed in the context of the existing conference centre on site, the design and layout would have a positive impact on receptor points looking from Goosedale Lane.

## **9.0 Ecology / Wildlife**

- 9.1 A revised Phase 1 Habitat Survey and Protected Species Assessment comprise part of the application documentation.
- 9.2 I note that the Wildlife Trust raised no objections to the proposal on ecology

grounds subject to the conclusions of the report being secured by conditions. As such I am satisfied that there would be no undue ecology or wildlife impacts from the development.

## **10.0 Other Considerations**

10.1 I note the comments received from a neighbouring resident with regards to the outlook from the home. However; since the relocation of the scheme adjacent to the existing conference centre and a mature belt of woodland and the significant distance to the development that there would be no undue impact on the outlook from residential properties in the wider area.

10.2 I note the comments received with regards to the potential for the development to have an adverse impact on house prices. However, I do not consider this to carry significant weight that would warrant a refusal of this application.

## **11.0 Conclusion**

11.0 At the heart of the NPPF is a presumption in favour of sustainable development, for decision making purposes this means approving development proposals that accord with the development plan, and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
- Specific policies in this framework indicate the development should be restricted.

11.1 In light of the considerations given above in relation to:

- The Public Benefit of the Scheme;
- Green Belt;
- Design and Access;
- Local Landscape;
- Ecology and Wildlife; and
- Other considerations

I consider that on balance and taking into account the public benefits that would be generated as a result of the proposal that the development would constitute sustainable development. Given the considerations set out in 5.0 – 10.0, above, I consider that it has been demonstrated that on balance the impacts are acceptable when weighed against the public benefit of the scheme and the less than significant harm on the openness of the Green Belt.

**Recommendation:**

## GRANT CONDITIONAL PLANNING PERMISSION

### Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
  
- 2 The development hereby permitted shall be carried out in accordance with the following drawing numbers and documents and such other plans, and documents as may be approved pursuant to the conditions of this planning permission unless otherwise agreed in writing by the local planning authority: Goosedale Lodges - (Sections) 15 12 2015; Goosedale Lodges Operator Statement; A101 (Lodge Information Point); A101 - Floor Plan (Type 3 Two Bed Variation); A103 - Roof Plan (Type 3 Two Bed Variation); A104 - Elevations 1 & 2 (Type 3 Two Bed Variation); A105 - Elevations 3 & 4 (Type 3 Two Bed Variation); A106 - Sections; A107 - Front Elevation Image (Type 3 Two Bed Variation); A109 - Rear Elevation Image (Type 3 Two Bed Variation); A110 - Side Elevation Image 1 (Type 3 Two Bed Variation); A112 - Sun Study; A101 - Floor Plan (Type 3 Bed Variation); A103 - Roof Plan (Type 3 Bed Variation); A104 - Elevations 1 & 2 (Type 3 Bed Variation); A105 - Elevations 3 & 4 (Type 3 Bed Variation); A106 - Sections (Type 3 Bed Variation); A107 - Front Elevation Image (Type 3 Bed Variation); A109 - Rear Elevation Image (Type 3 Bed Variation); A110 - Side Elevation Image 1 (Type 3 Bed Variation); A111 - Side Elevation Image 2 (Type 3 Bed Variation); A101 - Floor Plan (4 Bed Lodge Type 3); A103 - Roof Plan (4 Bed Lodge Type 3); A104 - Elevations 1 & 2 (4 Bed Lodge Type 3); A105 - Elevations 3 & 4 (4 Bed Lodge Type 3); A106 - Sections (4 Bed Lodge Type 3); A107 - Front Elevation Image (4 Bed Lodge Type 3); A109 - Rear Elevation Image (4 Bed Lodge Type 3); A110 - Side Elevation Image 1 (4 Bed Lodge Type 3); A111 - Side Elevation Image 2 (4 Bed Lodge Type 3); A101 - Floor Plan (2 Bed Lodge Type 2); A102 - First Floor Plan (2 Bed Lodge Type 2); A103 - Roof Plan (2 Bed Lodge Type 2); A104 - Front Elevation (2 Bed Lodge Type 2); A105 - Rear Elevation (2 Bed Lodge Type 2); A106 - Side Elevation 1 (2 Bed Lodge Type 2); A107 - Side Elevation 2 (2 Bed Lodge Type 2); A108 - Section 1 (2 Bed Lodge Type 2); A109 - Section 2 (2 Bed Lodge Type 2); A110 - Front Elevation Image 1 (2 Bed Lodge Type 2); A112 - Rear Elevation Image 2 (2 Bed Lodge Type 2); A113 - Side Elevation Image (2 Bed Lodge Type 2); A114 - Side / Front Image (2 Bed Lodge Type 2); A101 - Floor Plan (3 Bed Lodge type 1); A102 - Roof Plan (3 Bed Lodge type 1); A103 - Elevations (3 Bed Lodge type 1); A104 - Elevations (3 Bed Lodge type 1); A105 - Sections (3 Bed Lodge type 1); A109 - Rear Elevation Image (3 Bed Lodge type 1); A110 - Front Elevation Image (3 Bed Lodge type 1); A101 - Floor Plan (Type 1 Four Bed Variation); A102 - Roof Plan (Type 1 Four Bed Variation); A103 - Elevations (Type 1 Four Bed Variation); A104 - Elevations (Type 1 Four Bed Variation); A105 - Sections (Type 1 Four Bed Variation); A108 - Front Elevation Image (Type 1 Four Bed Variation); A109 - Rear Elevation Image (Type 1 Four Bed Variation); A110 - Side Elevation 1 (Type 1 Four Bed Variation); A111 - Side Elevation 2 (Type 1 Four Bed Variation); Location Plan 17.03.2016; Combined Design and Access Statement -March 2016; and Goosedale lodges - Masterplan 16.03.2016.

- 3 The holiday lodges hereby permitted shall be used as holiday accommodation and shall not be occupied continuously by any person or persons for a period in excess of 28 days in any one single letting. There shall be no consecutive lettings beyond four weeks to the same person, family or group and a written record of lettings shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.
- 4 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used on the external elevations of the proposed development. The development shall be carried out in accordance with the approved details.
- 5 The application site shall only be used for holiday accommodation in the 9 approved holiday lodges and no other camping or caravanning shall be operated on the site other than the provisions permitted within The Town and Country Planning (General Permitted Development) 2015 - Part 4 and Part 5 (or any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order).
- 6 The development hereby permitted shall be completed in accordance with the recommendations given in section 7 of the Bridle and Green Ecology Report BG15.174.
- 7 Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
- 8 The hard and soft landscaping details to be submitted in relation to condition 7 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as column lighting and bollard style luminaries to communal car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.
- 9 Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted and the creation of new jobs in the local area. The Local Employment Agreement shall be implemented strictly in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

## **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure the use of the holiday lodges is effectively restricted to tourist accommodation as the introduction of a permanent residential use would be contrary to paragraph 89 of the National Planning Policy Framework (March 2012).
- 4 To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 5 To ensure the use of the holiday lodges is effectively restricted to the tourist accommodation proposed and not as a permanent campsite or caravan site.
- 6 To protect and enhance the ecology that has been located on the site.
- 7 To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 8 To ensure that the final form of the development complies with policies ENV1, of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 9 To seek to ensure that the development provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), where appropriate. It is the opinion of the Borough Council that where the development conflicts with the Development Plan that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact to the openness of the Green Belt or any of the purposes of including land within the Green Belt.

### **Notes to Applicant**

For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. You can obtain copies of Severn Trent's current guidance notes and application from either

([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting the New Connections Scheme (Tel: 0800 707 6600).

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area that is specified, there may be sewers that have recently been adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

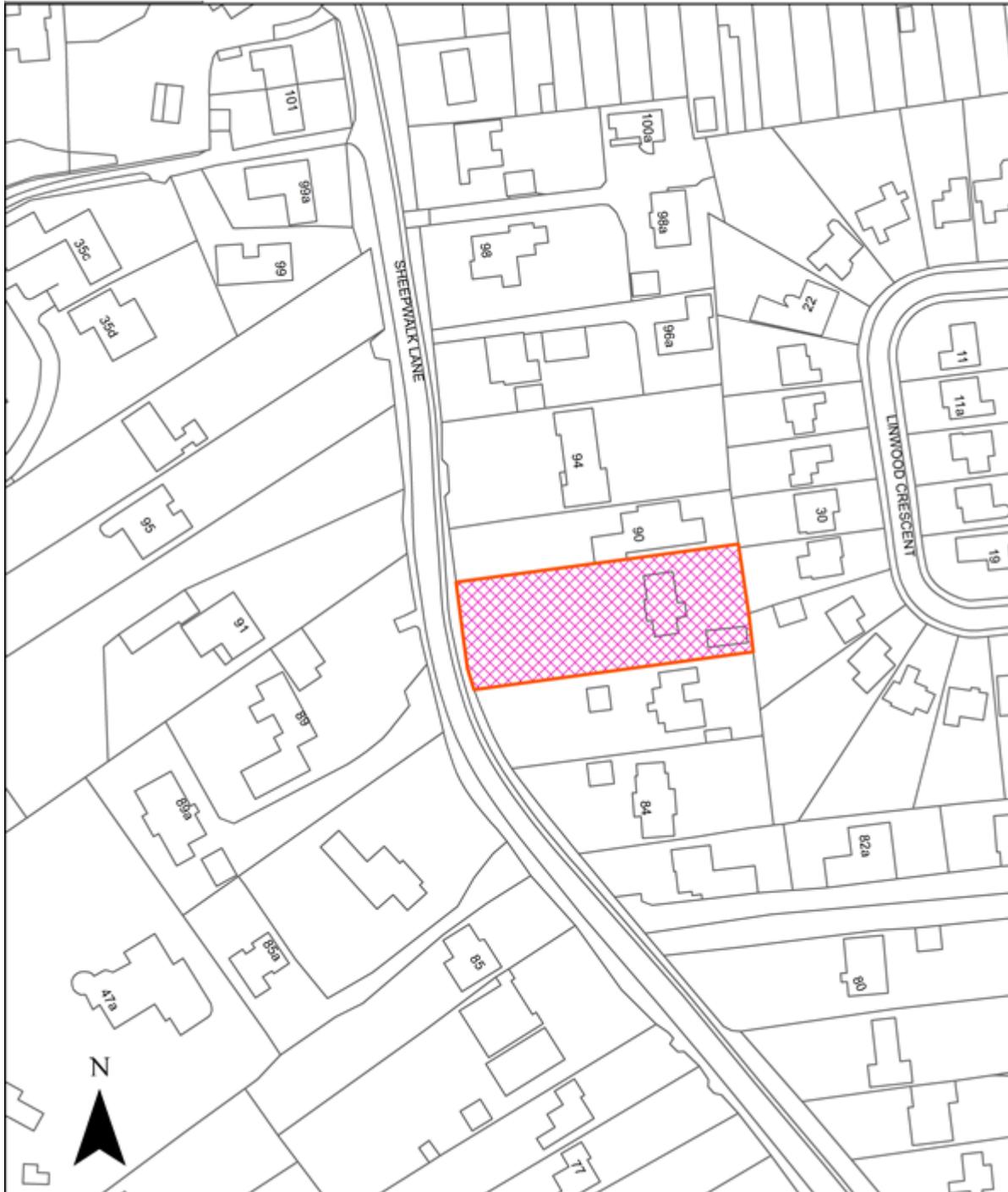
The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

Date Recommended: 6th October 2015

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**Application Number:** 2016/0060  
**Location:** 88 Sheepwalk Lane, Ravenshead, Nottinghamshire,  
NG15 9FB.



**NOTE:**  
This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.  
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## **Report to Planning Committee**

- Application Number:** 2016/0060
- Location:** 88 Sheepwalk Lane, Ravenshead, Nottinghamshire, NG15 9FB.
- Proposal:** Demolition of existing dwelling and erection of 3 no. detached dwellings with integral garages. Block up existing vehicular access and provide new relocated vehicular access.
- Applicant:**
- Agent:** Ms Rachael Walton
- Case Officer:** Christina Dinescu

### Background

This application is being referred to the Planning Committee at the request of the Delegated Members Panel.

### Site Description

The application site relates to an existing bungalow situated within a plot measuring a maximum 27.0m width x 72.0m depth. The site has undulating topography, with the existing bungalow set at a higher level than the adjoining highway but screened by mature vegetation. The bungalow is set back from the front boundary of the site by some 45.0m.

Adjoining properties consist of a split-level property at no. 90 Sheepwalk Lane, which is in a lower position than the application site by some 1 to 3 metres; and a bungalow at no.86 Sheepwalk Lane, which is in a higher position than the application site by some 2 metres. Dwellings to the rear of the application site on Linwood Crescent are situated at a higher level to the application site.

Mature vegetation is present on and around the site and within neighbouring properties.

Vehicular access is present on the right hand side of the application site, towards the boundary with no.86 Sheepwalk Lane, measuring some 1.5m in width.

The site is not located within the Ravenshead Special Character Area.

## **Relevant Planning History**

63/82/0337 – Planning permission was granted for a ground floor extension to form lounge, toilet & porch;

2004/1384 – Outline planning permission was refused for the erection of one 3/4 bedroom chalet style bungalow;

2005/0298 – Outline planning permission was refused for erection of 2 dormer style 4 bed houses;

2006/0561 – Planning permission was refused for erection of 2 single storey 3 bed bungalows and one garage; the application site was comprised of the front gardens of the properties at no's 86 and 88 Sheepwalk Lane; the application was subsequently dismissed on appeal (ref. no. APPEAL/06/025). The grounds for refusal were as follows:

- Incongruous in the streetscene by reason of the size of the proposed plots and their location in the front of the existing dwellings, therefore contrary to Policies H7 and H16 of the Gedling Borough Replacement Local Plan (2005);
- Inadequate access to the site and below the minimum standard required in respect to visibility, therefore contrary to Policy T10 of the Gedling Borough Replacement Local Plan (2005).

2008/0229 – Planning permission was granted to erect a white UPVC Victorian conservatory.

## **Proposed Development**

Full planning permission is sought to demolish the existing bungalow and to erect 3no. detached dwellings with integral garages. The proposal also includes a new vehicular access on the left hand side of the application site towards no.90 Sheepwalk Lane, a private driveway and a hammer head end for turning vehicles. The existing access point would be blocked up.

Following negotiations with the agent and the applicant a revised scheme was submitted which now includes 3 new dwellings as opposed to 4 new dwellings originally.

The development would involve splitting the site, with plot B to the front of the site and plots C and D to the rear of the site. The development would incorporate a new access on the left hand side of the application site leading to a hardstanding area and garages serving plots C and D at the rear and access to hardstanding to the front of plot B.

The dwellings proposed on plots C and D would be in a higher position than the dwelling proposed on B, and plot D would be in a higher position than plot C.

Plot B to the front of the site would incorporate a two storey dwelling with 5 bedrooms, low level eaves and ridge height, set in from the highway boundary by some 14.0m and from the boundary with no.90 Sheepwalk Lane by some 10.0m.

The dwelling would be of a contemporary design and would have a similar alignment to the existing similar development at no.94 Sheepwalk Lane. The maximum footprint dimensions of the dwelling would be 16.2 metres x 12.7 metres with a front elevation ridge height of 6.29m metres and eaves height of 3.07 metres. The front elevation incorporates an integral garage with a flat roof part projecting beyond the front elevation by some 2.0m. The rear elevation of the property would incorporate a flat roof part at first floor corresponding to a void area above the dining room at ground floor. All other windows are located on the front and rear elevation.

Plots C and D to the rear of the site would incorporate dwellings with elevations that mirror each other. The dwellings would have 5 bedrooms with an attached garage forward of the front elevation with access from side. The properties would have a maximum footprint dimension of 19 metres x 10.6 metres. The properties would have hipped roofs sloping away from the boundaries with the ridge and eaves heights being 8.7 metres and 4.9 metres respectively. The proposed garages would project forward at the front by 6.0 metres in depth x 5.3 metres in width, with ridge and eaves heights of 6 metres and 3.2 metres respectively.

An Arboricultural Impact Assessment and a Supporting Document were submitted in support of the application.

Details regarding materials to be used in the exterior elevations, landscape, means of surfacing of the unbuilt on portions of site and means of enclosure have been submitted as part of the application.

During the processing of the application revised plans have been received addressing concerns raised by the Arboricultural Officer.

### **Consultations**

Ravenshead Parish Council – Strongly object to the proposed development because:

- It is infill, which is not acceptable;
- The available area is assessed as being significantly over-developed;
- The buildings are three-storey and are untypical of the streetscene;
- Very little garden space is evident and no space has been allocated for the replacement of felled trees;
- Single garages and limited parking spaces are evident and are considered seriously inadequate for these large houses or for any visitor provision onto site;
- Twelve or more cars will exit onto already dangerous Sheepwalk Lane and Highways should be consulted on the adequacy of the vehicular access provision.

Following submission of revised scheme for three dwellings the following concerns were raised by Ravenshead Parish Council:

- It is infill, which is not acceptable;
- The available area is assessed as being significantly over-developed;

- The dwellings proposed would change the street and village scene;
- Single garages and limited parking spaces are evident and are considered seriously inadequate for these four houses;
- More cars will exit onto the bend, already dangerous Sheepwalk Lane and Highways should be consulted;
- There are four houses showed on the plans but only three houses on the application;
- The loss of the trees in the area and no arboricultural report received.

Nottinghamshire County Council (Highway Authority) – No concerns in principle, subject to conditions regarding visibility splays, driveway and access gradient.

Nottinghamshire County Council (Planning Policy) – No comments submitted as the proposal is for a “non-major” development.

Environment Agency – The application is a low risk application. No comment from the EA.

Nottinghamshire County Council (Arboricultural Officer) – No objection; satisfied that the retained trees are offered adequate protection.

Severn Trent Water – No objection subject to a condition and an informative regarding the public sewer located within the application site.

Public Protection (Scientific Officer) – An informative is recommended to be attached to any planning permission to encourage the applicant to consider mitigation in the form of electric vehicle charging infrastructure.

Planning Policy - Development Management will need to be satisfied that the proposal satisfies RLP ENV1, H7 and ACS Policy 10.

Neighbouring Properties were notified and a Site Notice posted and 1 letter of representation was received as a result. The concerns raised can be outlined as follows: -

- Out of character within the streetscene;
- Undue impact upon residential amenity of the surrounding dwellings;
- Overdevelopment of the site;
- The two dwellings to the front will be too close to the highway;
- Overbearing size, scale and height and inconsistent with the surrounding area;
- Adverse effect on residential amenity by reason of the noise, disturbance and loss of privacy;
- Incongruous buildings into the streetscene that would set a precedent for neighbours to do the same thing;
- Unacceptable increase in traffic, will create noise and pollution;
- Adverse effect on highway safety;
- Proposed access would have poor visibility and too close to a very hazardous bend;
- Loss of trees and landscape features;

- The Arboricultural Impact Assessment show the removal of a significant number of trees and shrubs at no's 86, 88 and 90 Sheepwalk Lane;
- Negative impact upon the natural habitat of the wildlife in the area;
- Inappropriate development for the location and setting.

Following submission of revised scheme for three dwellings, adjoining neighbours have been re-consulted and no letters of representation were received as a result.

### **Planning Considerations**

In my view the main planning considerations in determining this application are:

- The principle of development;
- The design, scale, mass, layout of development;
- Impact on residential amenity;
- Car parking and highway safety;
- Trees and vegetation;
- Other issues.

As the site is located within the established residential area of Ravenshead there are no objections in principle to its residential re-development.

The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). The core planning principles set out in the guidance is a presumption in favour of sustainable development. In particular the following chapters are relevant in considering this application:

- 6. Delivering a wide choice of quality homes;
- 7. Requiring good design.

Section 6 of the NPPF states inter-alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At local level, Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) and this now forms part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the GBACS. The following policies are relevant:

- Policy 10 - Design and Enhancing Local Identity.

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plans. The following policies contained within the Gedling Borough Council Replacement Local

Plan (Certain Policies Saved) 2014 are relevant: -

- ENV1 – Development Criteria;
- H7 – Residential Development on Unidentified Sites Within the Urban Area and the Defined Village Envelopes.

Criterion a, c. and d. of Policy ENV1 and criterion a. and c. of Policy H7 of the Replacement Local Plan are also relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

Design and layout are also considered in criterion a. and b. of Policy H7 of the Replacement Local Plan. This policy states inter alia that permission will be granted for residential development, including conversions and the change of use of buildings to residential use within the urban area and the defined village envelopes provided it is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials and that it would not result in the loss of buildings or other features including open space which make an important contribution to the appearance of the area.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Policy 10 – 2 of the ACS sets out the criteria that development will be assessed including: - plot sizes, orientation, positioning, massing, scale, and proportion. Criterion f) of the ACS refers to the impact on the amenity of nearby residents.

In respect to car parking, regard should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

### The Principle of Development

The site is located within the existing village envelope of Ravenshead within an established residential area. The proposal is for the demolition of an existing bungalow for a residential development of 3 units.

I note that one of the core planning principles of the NPPF is to encourage the effective use of land that has been previously developed (brownfield land), provided it is not of high environmental value.

The NPPF's definition of brown field land is 'previously developed land that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface or surface infrastructure.' This excludes 'land in built-up areas such as private residential gardens.' This advice is reflected in the ACS Policy 10 – 3.10.4 which goes on to state:

'Although now considered to be greenfield sites, gardens can provide sustainable locations for new homes, and reduce the need to develop land within Green Belt and or the country side. However, it can also change the characteristics of areas, and may damage biodiversity. In accordance with this policy and the NPPF, subsequent Local Development Documents may seek to restrict development to avoid areas of special character and to protect the amenity value of private gardens.'

I note that the application site is not in Ravenshead Special Character Area and is not in an area of special character or specific ecological or landscape character.

I note the changes in guidance in relation to the definition of garden land, which is no longer considered to be brownfield land. Whilst I note the change in definition, I do not consider that paragraph 3.10.4 of the ACS precludes development on such sites. The key aspects that need to be considered are whether the proposed development would be in a sustainable location, would adversely affect the characteristics of the area or damage biodiversity. I do not consider that biodiversity is an issue in this instance. In my opinion the development would be in a sustainable location given its location within a village and its proximity to services. For the reasons set out in section 2 of this report I do not consider that the proposed development would adversely affect the characteristics of the area. The redevelopment of the site in my opinion is therefore acceptable in principle and would accord with Policy 10 of the ACS.

#### The Design Scale, Mass, Layout of Development

I note the site is located within the existing village envelope of Ravenshead within an established residential area and not within Ravenshead Special Character Area when referred to the Proposals Map. The proposal is for the demolition of an existing bungalow for a residential development of 3 units. The planning history reveals there has been an intention to redevelop the site since 2004.

I note that the surrounding area is characterised by a mix of property styles on varying plot sizes. I also consider that the application site is of sufficient width and depth to occupy the 3 dwellings with the layout proposed without appearing cramped or over intensive.

Given the mixture of styles in the immediate vicinity and the size of the application site I consider that the development, designed around a driveway, has taken this opportunity to create a sense of place. I also consider that incorporating contemporary design principles and materials would add to the architectural mix in the area and would result in a positive feature in the immediate streetscene.

I consider, given the undulating topography of the land, the mixture of two storey and

single storey dwellings in the area, and that there is back land development in the immediate surrounding area, that the scale of the properties would be in keeping with the existing properties on the north side of Sheepwalk Lane.

Having considered the overall design of the development and the constraining factors of the site, it is my opinion that the proposal would satisfy the design and landscaping criteria of Policies ENV1 and H7 of the RLP and Policy 10 of the ACS. I also consider that the proposed development accords with the broad design aims of the NPPF, which states that good design is key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

#### Impact on Residential Amenity

I note the comments received with regards to the undue impact on neighbouring residential amenity. I also note from the submitted drawings that the proposed dwellings would be sited in line with existing neighbouring properties at no's 90 and 86 Sheepwalk Lane for proposed plots C and D, and for proposed plot B the dwelling would be sited in line with a similar development at no.94 Sheepwalk Lane. Submitted sections through the site show eaves and ridge heights that closely match heights of neighbouring properties, together with hipped and pitched roof designs. Given the proposed design I am satisfied the proposed development would not have a significant undue overbearing and overshadowing impact on any adjacent properties.

Given the proposed dwelling on plot B would be set in from the neighbouring property at no.90 Sheepwalk Lane by some 10.0m, in my opinion the proposal would achieve an acceptable relationship with adjoining properties and there would be no undue overlooking impact.

I am mindful that under permitted development rights side windows could be inserted in the side elevations of the proposed dwellings without planning permission. Should planning permission be forthcoming I would suggest removing permitted development rights via condition to prevent any potential undue overlooking impact in the future.

Given the above I consider that the proposed development would have an acceptable relationship with neighbouring dwellings and would result in no significant undue impact on neighbouring residential amenity. I therefore consider the proposal to be in accordance with the aims of policy ENV1 of the RLP.

#### Highway Safety

I note the comments from the Highway Authority and, subject to the suggested conditions, I am satisfied that the proposed development would have no undue impact on highway safety. I would suggest however that the condition regarding the widening of the proposed access to be omitted as the proposal has been amended to reflect that requirement.

When considering car parking provision for new residential development the adopted

Parking Provision for Residential Development Supplementary Guidance (SPD) May 2012 is relevant. When referring to the car parking SPD a new dwelling with 4 bedrooms or more in a rural location would require off street car parking provision for 3 vehicles. The proposed dwelling on plot B would have integral double garage and additional parking spaces at the front for three vehicles. The proposed dwellings on plots C and D would have integral double garages and additional parking spaces for 2 vehicles. I am therefore satisfied that the design layout and vehicle hardstanding proposed is sufficient to satisfy the requirements of the SPD. I am also satisfied, given the Parish Council comments regarding parking for visitors, the additional number of parking spaces could serve visitors to the site.

### Trees and Vegetation

I note the comments regarding the removal of trees and vegetation from within the application site and from neighbouring properties. However I consider the indicated trees on the plans are of low amenity value or arboricultural value and would not warrant protecting by a TPO. I am also satisfied the trees to be lost would be within the application site boundary.

I also note the comments from the Arboricultural Officer and I am satisfied the proposal has been designed so that the trees retained and the existing trees within the neighbouring properties would be protected during the implementation of the development.

I am mindful about the Parish Council comments regarding replacement of trees proposed to be felled, however, given the trees on site are not protected by a Tree Preservation Order and that they have been assessed to have low amenity value, I am satisfied the trees to be retained would form the setting of the proposed development and would contribute to the character of the area, and also mitigation measures have been proposed through a landscape scheme that shows trees, indigenous in species, to be planted on the highway boundary where the existing access would be covered and also within the rear gardens of plots A and B.

### Other Considerations

I note the comments from the Scientific Officer, as such; I suggest an informative to be attached to any planning permission to encourage the developer to consider mitigation in the form of electric vehicle charging infrastructure.

With regards to the Parish Council comments regarding very little garden space proposed, I am satisfied the submitted drawings show plot B to have rear garden depth of 10.0m, and plots C and D to have rear garden depths of 12m and 11m respectively, which would be sufficient private amenity to serve the dwellings.

### Conclusion

I am of the opinion that the proposed development would comply with the relevant planning policies that are set out above and that planning permission should be granted.

## **Recommendation:**

### **GRANT PLANNING PERMISSION, subject to the following conditions:-**

#### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the approved plans, application form, Arboricultural Impact Assessment and Supporting Document received on the 21st January 2016, drawing no's VED394-504 "Plot C & D - As Proposed" received on 21st January 2016, drawing no. VED394-506A "Existing Site Survey/Tree Removal" received on 4th March 2016, and revised plans, drawing no's VED394-500B "Site Plan - As Proposed", VED394-501B "Site Plan - As Proposed with Landscaping", VED394-505B "Site Plan - Tracking, Vis Splay & Highway", VED394-502A "Site Sections - As Proposed", VED394-503B "Plot B - As Proposed (Plot A removed)", received on 22nd April 2016.
3. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no VED394-505B are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.
4. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
5. No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeds 1:12 thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
6. No part of the development hereby permitted shall be brought into use until the existing site access that has been made redundant as a consequence of this consent and as shown on plan VED394 505B is permanently closed and the access crossing reinstated as verge and footway in accordance with details to be first submitted to and approved in writing by Gedling Borough Council.
7. The approved landscape scheme, drawing no. VED394-501B, shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

8. No additional windows or openings to those shown on the approved plans shall be inserted in the external elevations of the proposed dwellings at any time, unless express consent has been given in writing by the Borough Council.
9. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the express consent of the Borough Council.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
5. In the interests of Highway safety.
6. In the interests of Highway safety.
7. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
8. To prevent the overlooking of the adjoining property, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2014).
9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general and is acceptable from a highway safety viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (September 2014), policies ENV1 and H7 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), advice contained within the NPPF (2012) and the SPD "Parking Provision for Residential Development".

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

The proposal makes it necessary to construct a new access and reinstate the redundant site access and vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

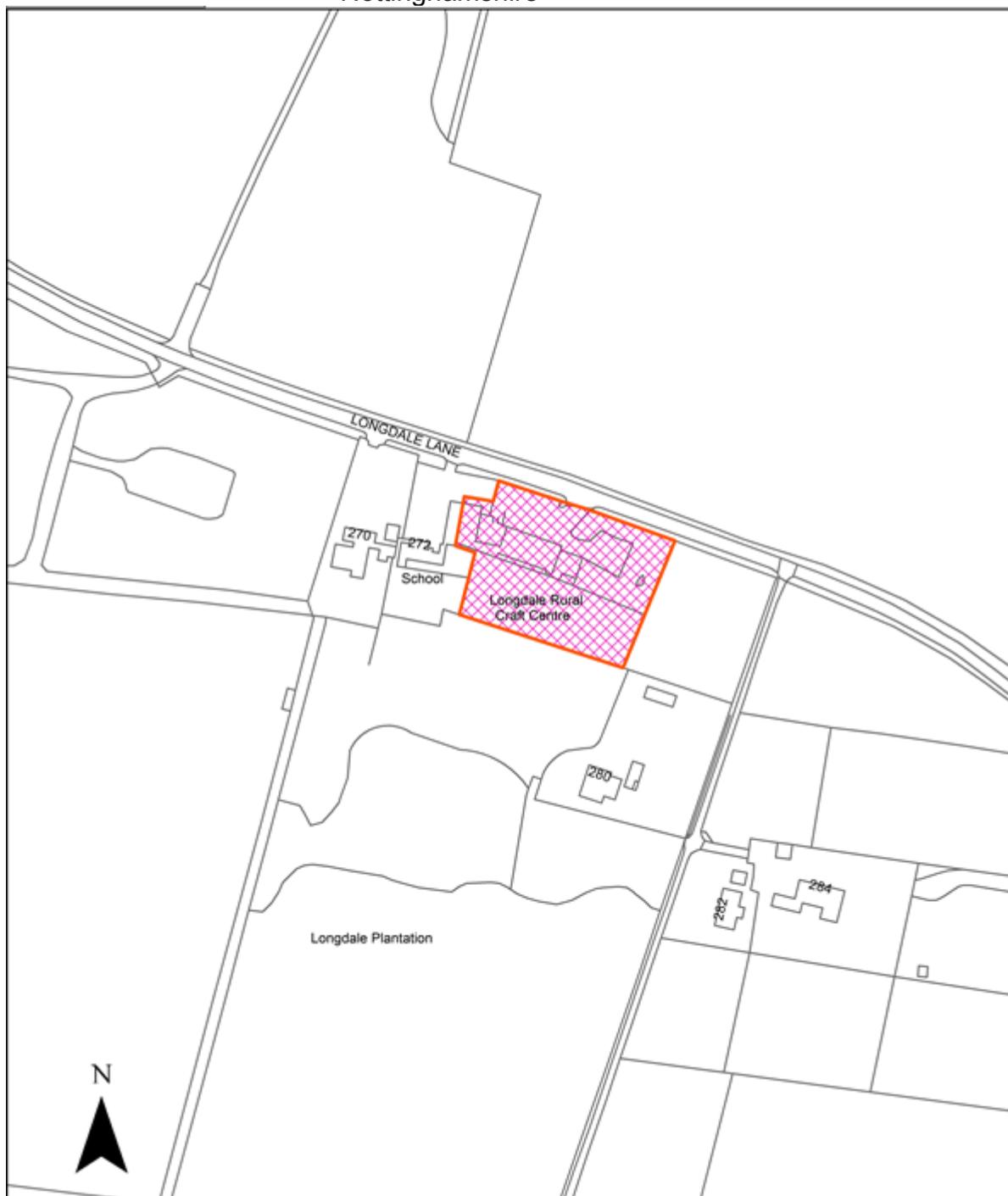
The applicants attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. Reference can be made to guidance produced by IET Code of Practice for EV Charging Equipment Installation for details of charging points and plugs specifications.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.



**Application Number:** 2016/0264  
**Location:** Longdale Craft Centre Longdale Lane Ravenshead Nottinghamshire



**NOTE:**  
This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.  
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## **Report to Planning Committee**

<b>Application Number:</b>	2016/0264
<b>Location:</b>	Longdale Craft Centre Longdale Lane Ravenshead Nottinghamshire
<b>Proposal:</b>	Outline application for residential development.
<b>Applicant:</b>	Mr & Mrs R Wyles
<b>Agent:</b>	Planning And Design Group
<b>Case Officer:</b>	Cristina Dinescu

### **Background**

This application is referred to the Planning Committee at the request of the Delegated Members Panel.

### **Site Description**

The application site lies within the Green Belt of Nottinghamshire as defined on the Proposals Map, off Longdale Lane, to the south of the village of Ravenshead.

To the west the site is adjoined by a school at no.272 Longdale Lane, to the south-east by a residential property at no.280 Longdale Lane, to the south by a woodland area that is also a Local Wildlife Site, and to the west by open land.

The site covers an area of approximately 3000sqm and has been used previously as a craft centre but has been closed for some time. The site is covered by single storey buildings linked through single storey extensions. The existing footprint of the buildings is approximately 500sq m with a hardstanding area measuring approximately 1900sq m.

Trees are present on and around the site as well as hedgerows that define the application site's boundaries.

### **Proposed Development**

Outline Planning Permission is sought for a residential development of three units with all matters reserved.

An illustrative layout plan has been submitted with the application showing three detached residential units to be served by the existing access point.

A Preliminary Ecological Appraisal and a Supporting Planning Statement have also been submitted with the application.

### **Consultations**

The Highways Authority (Notts County Council) – It is proposed to retain the existing access point which served the redundant Craft Centre. This is acceptable, subject to the following condition:

“The formal written approval of the LPA is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, visibility splays and drainage. (Hereinafter referred to as reserved matters). All details submitted to the LPA for approval shall comply with the County Council’s current 6’cs Highway Design and shall be implemented as approved.”

Ravenshead Parish Council – The following comments were received:

- The Applicant’s assertion that this is brownfield site is refuted. The site is the location of a Rural Craft Centre, housed in rudimentary huts which have deteriorated over many years. Examination of a site aerial photograph represents a massively rural location of trees set adjacent to a Local Wildlife Site called Longdale Plantation – and the provided Ecology Report clearly itemises the abundance of vulnerable wildlife on the site. The inevitable loss of trees would also be deplored.
- The Applicant relies a 20% suggested permissible escalation of the claimed existing building footprint to achieve the 600M3 required to justify three houses – unimplemented outcomes of previous planning applications should surely not be used to justify subsequent applications. And this application significantly cites the “number of bedrooms” in the paperwork as “unknown”. So there is no indication of the size of the desired houses or their floor space – bearing in mind that existing floor space is the claimed 500M3 in the existing single storey buildings against a potential 1,200M3 for the three new houses proposed.
- The building of these three houses would have a serious impact on the openness of the Green Belt and the proposed buildings themselves would be obtrusive and disproportionate in size, bearing in mind the very low level vertical aspect of the existing huts, which are set back from the road.
- Ravenshead Parish Council believes that our Planning Authority has recently accepted the Aligned Core Strategy’s future limitation of housing development within existing Village defensible boundaries and approval of this Application would breach this ruling and would provide a precedent to encourage further lateral housing development sprawl along the southern end of Longdale Lane, beyond Kighill Lane defensible boundary.

Planning Policy – Paragraph 87 of the National Planning Policy Framework states that inappropriate development is harmful to the Green Belt and should not be

approved except in very special circumstances. Paragraph 89 states that construction of new buildings is inappropriate in Green Belt, exceptions to this are the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The applicant would need to demonstrate special circumstances for the residential development on the site in the Green Belt if it would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Policy 2 of the Aligned Core Strategy promotes a strategy of urban concentration with regeneration and seeks to provide most development in or adjoining the main built up area. The site is not within the main built up area or any of the other locations where development is directed to through the Aligned Core Strategy.

Paragraph 47 of the National Planning Policy Framework requires local planning authorities to identify and update annually a five year supply of deliverable housing sites. The Council's Five Year Housing Land Supply Assessment 2015 shows that against the housing requirement, the Council does not have a five year supply of land for housing. Paragraph 49 of the Framework states where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing should be considered out of date. Where policies are out of date, planning applications for residential development should be considered in the context of the presumption in favour of sustainable development contained in paragraph 14 of the Framework. Policy A of the Aligned Core Strategy would also apply.

The design of the residential development would need to meet the criteria set out in Policy ENV1 of the Replacement Local Plan and Policy 10 of the Aligned Core Strategy. As the site is outside of the settlement, Policy 10.5 states proposals should be assessed with reference to the Greater Nottingham Landscape Character Assessment. The appropriate mix of house size, type, tenure and density should accord with Policy 8 of the Aligned Core Strategy.

Wildlife Trust – Satisfied with the PEA, and would expect the recommendations provided in the report to be applied. These include the following, which will need to be included with a full application:

- Retention of hedgerows and supplementary planting.
- A 2m buffer between the proposed development and the boundary of the adjacent LWS. This is not currently included in the indicative masterplan. The boundary of the residential gardens should include boarding with mammal passes – this is to prevent anthropogenic disturbance on the adjacent LWS, and to retain ecological connectivity. It is advised that the 2m buffer is included in the indicative masterplan at the outline stage, in order for the LPA to determine if this can be incorporated into the development design when determining the application. If the buffer cannot be included, this could result in impacts to the adjacent LWS.
- Sensitive lighting measures. No lighting on the southern portion of the Site (rear of the properties).
- Retention of habitats in the eastern portion of the Site, with enhancement to

the grassland in this area, and the inclusion of reptile refuge and bird nesting boxes and hedgehog box(es).

- A method statement for clearance works regarding reptiles.
- Best Practice measures to be undertaken regarding badgers. We would also advise a pre-works check for badger setts onsite/within 30m of the Site, due to the surrounding habitat being considered as good sett excavation potential, and because of the mobile nature of this species.
- Works to be undertaken outside of the bird breeding season/an ecologist to check prior to works commencing.

We see that a tree survey has not been submitted with the application. At present, it is unclear to what extent the loss of trees onsite will be, and if it is possible to retain trees onsite. It is however understood that no trees were considered to be above negligible bat roost potential. We would advise you seek further information regarding onsite trees (i.e request a tree survey) and we advise if any trees are lost, these should be replaced with native trees of a similar age (as highlighted in the recommendations section of the PEA).

Public Protection – Agricultural and horticultural holdings are considered to be a potentially contaminative land use and the proposals are for a sensitive end-use (residential with gardens). There appeared to be no information regarding ground conditions, including contamination, with the application. As such I would recommend that a land contamination study be carried out to ensure the site is suitable for its intended use. The first stage of which would be to carry out a Phase 1 'desk top' study and site walk over.

Local residents have been notified and a Site and Notice posted – 2 letters of representation were received as a result supporting the application. The application has also been advertised in the local Press.

### **Planning Considerations**

The main planning considerations in the determination of this planning application are whether the proposal accords with Green Belt policies and national guidance, whether there would be any undue impact on the amenity of nearby residents and whether there would be any highway safety implications.

The following policies are relevant in the consideration of this application:

- NPPF paragraphs 79-92 (Protecting Green Belt land);
- NPPF paragraphs 56-68 (Requiring good design);
- ACS Policy 3 (The Green Belt);
- ACS Policy 10 (Design and Enhancing Local Identity); and
- RLP Policy ENV1 (Development Criteria).

### **Green Belt**

Paragraph 89 of the NPPF sets out that within the Green Belt limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) is one of the exceptions for new buildings to be considered appropriate development in Green

Belt.

Annex 2 of the NPPF provides a definition of “previously developed land” as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure excluding land that was previously developed but where the remains of the permanent structure of fixed surface structure have blended into the landscape in the process of time.

I note the details submitted with the application, more precisely the photographs in Appendix 1 of the Supporting Planning Statement, show the existing buildings on site to be permanent structures, not temporary buildings, that have suffered deterioration since the craft centre has not been in use. The photographs also show the associated hardstanding area to have suffered the same deterioration as the buildings, and the landscaped areas within the site that have not been maintained. I am satisfied however that the buildings and the associated hardstanding area have not been taken over by vegetation therefore, in my opinion the term brownfield land would suit the description of the application site as previously developed land. As such, I consider the proposed re-development of the site for residential purposes would be appropriate development in the Green Belt. Subject to precise details to be dealt with under reserved matters, in my opinion the proposal would have no undue impact on the openness of the Green Belt.

I note the comments from the Parish Council with regards to the proposed floor area of the dwellings and that no indication of the scale has been provided. However I am satisfied that the proposal would be acceptable in Green Belt terms subject to precise details to be dealt with under reserved matters.

I would suggest that permitted development right are removed, should planning permission be forthcoming, in order to protect the openness of the Green Belt.

### Design and Scale

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Criterion a., c. and d. of Policy ENV1 of the Replacement Local Plan are also relevant in this instance. These state that planning permission will be granted for

development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

I note the existing buildings on site are single storey with a mix of design styles. I also note the application is for outline re-development for three residential units with all matters reserved, as such; It is my opinion, subject to precise details to be sought under reserved matters, a well-designed development could be achieved.

### Highway Safety

I note the comments received from the Highway Officer with regards to details of parking and turning facilities, access widths, gradients, surfacing, visibility splays and drainage to be submitted for approval at the reserved matter stage, as such; I recommend it to be attached as a condition, should planning permission be forthcoming.

Whilst the application is for outline approval with all matters reserved, I am satisfied the application site benefits from an existing vehicular access point and subject to the approval of the details mentioned above by the Highways Authority safe access and egress could be achieved. As such I am satisfied there would be no adverse impact on highway safety in allowing this application.

In respect to car parking, regards should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

The minimum requirement for off-street car parking provision (for dwellings with up to 2 bedrooms) in rural areas is one parking space, whilst the maximum requirement (for dwellings with 4 or more bedrooms) is 3 parking spaces. Subject to precise details to be dealt with under a reserved matters application, it is my opinion the proposed residential units would comply with the off-street parking requirement set by the Council's Residential Car Parking Supplementary Planning Guidance.

### Residential Amenity

Criterion b. of Policy ENV1 of the Replacement Local Plan requires development not to have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated.

Policy 10 of the ACS also requires consideration to be given to the impact on the amenity of neighbouring properties and occupiers of development.

I note that the application is in outline with all other matters reserved for subsequent approval and as such I am satisfied that subject to precise details, the proposed dwellings could be designed to have an acceptable relationship with existing neighbouring properties.

### Ecology and Trees

I note the comments received from the Parish Council with regards to the Local Wildlife Site that adjoins the application site to the south. I also note a Preliminary Ecological Appraisal has been submitted with the application and that Wildlife Trust was satisfied with the PEA submitted. As such, I am of the opinion, subject to precise details to be dealt with under a reserved matters application; the recommendations provided in the report would be integrated within the proposed scheme. I would recommend, should planning permission be forthcoming, all the recommendations outlined by Wildlife Trust to be attached as conditions in order to ensure that the details of the development would not adversely affect the adjacent Local Wildlife Site.

I also note the comments from Wildlife Trust with regards to the trees on site, however, should planning permission be forthcoming, I would suggest a condition be attached requiring a full Tree Survey to be submitted for approval before development commences.

### Contamination

I note the comments from the Scientific Officer regarding contamination of land, as such I would recommend all conditions recommended to be attached to any planning permission.

### Conclusion

Having regard to all the above I consider that the proposal is in accordance with all the policies mentioned above and would recommend that Planning Permission be granted.

### **Recommendation:**

**GRANT PLANNING PERMISSION** subject to the following conditions:-

### **Conditions**

1. An application for approval of all the reserved matters (access, appearance, landscaping, layout and scale) shall be made to the local planning authority before the expiration of three years from the date of this permission.
2. The development hereby approved shall be begun within two years from the date of the approval of the last reserved matter to be approved.

3. This permission relates to the application form, site location plan, Supporting Planning Statement and Preliminary Ecological Appraisal, received on 2nd March 2016.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council detailed plans, sections and elevations of all buildings. Once approved the buildings shall be built strictly in accordance with the approved plans unless otherwise agreed in writing by the Borough Council.
5. The proposed dwellings shall not be brought into use until the details approved as part of the plans and particulars to be submitted for the application for the approval of reserved matters referred to in condition 1, 2 and 4 above have been implemented, unless other timescales are prior agreed in writing by the Borough Council.
6. Before development (including site preparation) is commenced a full Tree Survey (BS 5837:2012) to include an Arboricultural Method Statement, details of tree protection fencing and a tree protection plan, to protect the existing trees, shall be submitted to and approved in writing by the Borough Council as Local Planning Authority. Once these details are approved the development shall be carried out in accordance with the approved details and the trees shall be protected at all times during site preparation and development.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a landscape plan of the site showing retention of hedgerows and any supplementary planting as well as details of the existing planting to be removed or retained. The landscape plan shall also include a 2m buffer between the proposed development and the boundary of the adjacent Local Wildlife Site. The approved details shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the materials to be used in the external elevations of the development. Once approved the development shall be carried out in accordance with these details.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure of the site. The means of enclosure of the residential gardens shall include boarding with mammal passes. The approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details regarding the retention of habitats in

the eastern portion of the site, with enhancement to the grassland in that area and the inclusion of reptile refuge and bird nesting boxes and hedgehog boxes. Once these details are approved the development shall be carried out strictly in accordance with the approved details.

11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a Method Statement for clearance works regarding reptiles. Once approved the development shall be carried out strictly in accordance with these details.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details regarding the findings of a pre-works check for badger's setts onsite / within 30m of the site. Best practice measures outlined in Report Reference RSE\_459\_01-V1 – January 2016 shall be carried out regarding the pre-works checks. Once approved the development shall be carried out strictly in accordance with the approved details unless otherwise agreed in writing by the Borough Council.
13. Demolition and construction works (including site preparation) will not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing. If nesting birds are on site, works cannot commence until the young have fledged. Written confirmation should be submitted to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site as birds, their nests and eggs, are protected by the Wildlife and Countryside Act 1981.
14. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The approved means of surfacing shall be erected before the dwellings are first occupied.
15. The formal written approval of Gedling Borough Council is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, visibility splays and drainage (Hereinafter referred to as reserved matters). All details submitted to Gedling Borough Council for approval shall comply with the County Council's current 6'cs Highway Design and shall be implemented as approved.
16. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as local planning authority.
17. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential

contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The assessment should be carried out in line with current guidance CLR11 and the appropriate British Standards (i.e. BS10175).

18. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.
19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority. The assessment should be carried out in line with current guidance CLR11 and the appropriate British Standards (i.e. BS10175).

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
5. To ensure the details of the development are satisfactory, in accordance with

the aims of Policy 10 of the Aligned Core Strategy (September 2014).

6. In the interests of good arboricultural practice and to ensure that the details of the development are acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
7. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014) and in the interest of protecting the adjacent Local Wildlife Site.
8. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
9. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014) and in order to prevent anthropogenic disturbance on the adjacent Local Wildlife Site and to retain ecological connectivity.
10. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014) and in order to protect the adjacent Local Wildlife Site.
11. To ensure the protected species present on site and in the area are offered adequate protection.
12. Because the surrounding habitat is being considered as good sett excavation potential for badgers and because of the mobile nature of this species.
13. In order to protect all birds (except pest species), their nests and eggs.
14. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
15. In the interest of highway safety.
16. To ensure the openness of the Green Belt is protected in accordance with Paragraphs
17. Because agricultural and horticultural holdings are considered to be a potentially contaminative land use and the proposals are for sensitive end-use (residential with gardens).
18. Because agricultural and horticultural holdings are considered to be a potentially contaminative land use and the proposals are for sensitive end-use (residential with gardens).
19. Because agricultural and horticultural holdings are considered to be a potentially contaminative land use and the proposals are for sensitive end-use (residential with gardens).

## **Reasons for Decision**

In the opinion of the Borough Council the proposal results in an acceptable re-development of brownfield land within the Green Belt, is not detrimental to the open character of the Green Belt, results in no significant impact on neighbouring residential properties and is acceptable in terms of highway safety. The proposal therefore accords with Paragraphs 79 - 92 of the National Planning Policy Framework, Policies A (Presumption in Favour of Sustainable Development), 3 (The Green Belt) and 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy (September 2014), and Policy ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

## **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicants attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. Reference can be made to guidance produced by IET Code of Practice for EV Charging Equipment Installation for details of charging points and plugs specifications.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).



## **Report to Planning Committee**

**Application Number:** 2008/0287

**Location:** SOL Construction Ltd, Vale Road, Colwick

**Proposal:** Erection of 44 dwellings with associated roads & sewers

### **Summary**

Authorisation is sought to instruct the Service Manager for Legal Services to enter into a Deed of Variation to vary the S106 Planning Obligation dated 7<sup>th</sup> June 2011 that requires a financial contribution for off-site open space.

The applicant is asking the Council to agree to enter into a Deed of Variation so as to include the same terms on an updated planning application no: 2016/0347, which has been made for amendments to be made to condition 12 of the original planning permission reference no:2008/0287.

### **Background**

Full planning permission was granted on 3<sup>rd</sup> July 2008 under planning application no: 2008/0287 for the demolition of offices, car parking and storage areas and the erection of 44 dwellings with associated roads and sewers.

This was subject to a condition requiring the applicant to enter into separate S106 Planning Obligations with the County Council as Highway Authority and Local Education Authority for a financial contribution for the development of integrated transport measures and education facilities and with the Borough Council for a financial contribution for off-site open space.

These Planning Obligations were completed on 27<sup>th</sup> May 2011 and 7<sup>th</sup> June 2011 respectively.

Condition 12 of planning permission no: 2008/0287 states that the development shall be carried out in accordance with the approved plans reference 919/SS/01, PL/1, PL/2, PL/3, PL/4, PL/5, PL/11, PL/12, PL/13, PL/14 Rev A, PL/17, PL/18, PL/G02, PL/G04 and SK/02 Rev B unless otherwise prior agreed in writing by the Borough Council.

In March 2016, the applicant submitted an application to vary the above condition, so as to relate to amended plans showing minor changes to the proposed layout and elevations.

As this will result in a new planning permission, it is necessary for the terms to the original S106 planning obligation to be varied so as to ensure these also apply to the new planning permission.

A similar request has been made to the County Council.

### **Considerations**

There are no financial implications to the Borough Council and the decision notice on the planning application can be issued under delegated powers, once the Deeds of Variation have completed with the County Council and Borough Council.

**Recommendation:**

That the Service Manager for Legal Services be instructed to undertake the necessary work to prepare and finalise a Deed of Variation to the Planning Obligation lodged with the Borough Council dated 7th June 2011, in relation to the development permitted by planning permission no: 2008/0287.



## **Report to Planning Committee**

**Application Number:** 0087/2015

**Location:** 80 Church Drive, Daybrook, Nottingham

**Breach of Planning Control:** Construction of a timber framed and clad garden annex in the rear of the ground floor flat, ancillary use to the ground floor flat.

### **Site Description and Development**

No. 80 Church Drive is an end of terrace two storey property that was previously a dwelling before it was converted into two independent flats, located within the built up area of Daybrook.

The ground floor flat has a separate access off Church Drive and a long narrow rear garden. There is no off-street parking, however, there is a resident parking scheme in place, and access to the rear garden is made through a right of access through a shared entry off Church Drive.

No. 80 is adjoined by another terrace dwelling at no. 78 Church Drive to the south and The Old School Business Centre to the east and north. A 1.8m high brick wall separates the Business Centre from no. 80 Church Drive.

The rear garden level is lower than that the dwelling and slopes downwards to the rear. The wooden construction ground level is approximately 1.5m lower than the Old School Business enter level. All of the other residential properties on Church Drive are terraced two storey dwellings with long and narrow rear gardens.

The structure erected in the garden is a timber framed and clad structure that is to be used occasionally by visiting relatives as an ancillary use to the ground floor flat. The building is comprised of living with kitchenette room, shower room, one bedroom and a store room. Windows are present on all elevations.

The building measures 7.78m deep x 4.47m wide x 2.4m eaves height (2.8m to ridge).

### **Relevant Planning History**

2004/1035 – Planning permission was granted for a single storey rear extension.

2007/0353 – Planning permission was granted to convert the dwelling into two self-contained flats.

2016/0325 – Planning permission was refused for the retention of the timber framed and clad garden annex in the rear of the ground floor flat on grounds relating to the timber structure being used as an independent new dwelling; by reason of the increased level of activity and insufficient access arrangements to the annexe the development has an undue impact on the residential amenity of neighbouring residential properties, contrary to the aims of Policy EN1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and; the unit to the rear of 80 Church Street would be out of keeping with the pattern of development in the surrounding area contrary to the aim of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).

In 2012 pre-application advice was sought from the Borough Council in relation to the erection of an ancillary curtilage building to enable support for an elderly relative. Advice was given by the Borough Council stating that, an application for an independent residential unit would unlikely to receive a favourable decision from the Borough Council.

In September 2015 an enforcement investigation was opened relating to an unauthorised development. The Borough Council advised that the development requires full planning permission for an independent residential unit. Subsequently a householder planning application was submitted and determined.

### **Breach of Planning Control**

A breach of planning control is defined in section 171A of the Town and Country Planning Act 1990 as:

- a) Carrying out development without the required planning permission; or
- b) Failing to comply with any conditions or limitation subject to which planning permission has been granted.

Any contravention of the limitations on, or conditions belonging to permitted development rights under the Town and Country Planning (General Permitted Development) Order 2015 constitutes a breach of planning control against which enforcement action may be taken.

In this instance a timber structure has been erected in the rear garden of no 80 Church Drive and the property does not have the benefit of permitted development rights for such structures given it is a ground floor flat. As part of an enforcement investigation the owner was advised that planning permission would be required for the erection of the structure, that it would unlikely receive a favourable recommendation and that the structure should be removed to avoid enforcement action.

The building has been in existence for less than 4 years and it was brought to the Council's attention in September 2015..

The retention of the structure requires planning permission and retrospective planning permission, 2016/0325, to retain the structure has been refused. This aspect of the development therefore constitutes a breach of planning control.

### **Planning Considerations**

Although the development has taken place without planning permission and is therefore unauthorised, Local Planning Authorities are required to consider the guidance contained within paragraph 207 of the National Planning Policy Framework (NPPF) which advises:

“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control”

A retrospective planning application was submitted in an attempt to overcome and deal with the breach of planning control that has occurred at the property.

The main planning consideration in the determination of the retrospective application was the principle of the development in the rear garden of a residential flat, the impact on the amenity of the adjoining properties and the impact on the character of the area.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

At the local level Gedling Borough Council, at its meeting on 10 September 2014 approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is not part of the development plan for the area. The following policy is relevant: -

- Policy 10 – Design and Enhancing Local Identity

In particular development will be assessed on massing, scale and proportion; material, architectural style and detailing; impact on the amenity of nearby residents.

Appendix E of the ACS refer to Saved Policies from Adopted Local Plans. The following policy contained within the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014 is still relevant:-

- ENV1 (Development Criteria).

Policy ENV1 states: planning permission will be granted for development of a high standard of design, which does not adversely affect the area by reason of its scale, bulk, form, layout or materials and it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general.

The applicant understood that the development would not be deemed Permitted Development prior to any enforcement action being taken. However, during pre-application discussions it was advised that the retention of the structure did not amount to permitted development given it was located within the curtilage of a property that had been converted into two self-contained flats. It would be necessary to demonstrate that the occupier of the proposed building would be dependent on some facilities in the main dwelling at 80 Church Drive, but nothing was provided with the retrospective planning application.

The dwelling at no. 80 Church Drive has been previously converted into two flats with the rear garden being used by the occupant of the ground floor flat. The building being retained is located with the rear garden and is to be used by the applicant, who does not live at the address, and would use the annex when visiting relatives that live in the area and not on the planning unit incorporating the flat at no. 80 Church Drive.

The proposal was to use the timber building as ancillary to the use of the ground floor flat, given that the occasional occupier uses this as self-contained living accommodation when visiting relatives in the area. In my opinion this is not ancillary to the residential use of the ground floor flat at no. 80 Church Drive.

In terms of accommodation the building has a bedroom, living room, kitchenette and shower room which in my opinion would amount to self-contained accommodation. Given the stated and intended purpose of the building is for occasional and non-permanent use by the applicant who does not live at the address, it is my opinion the proposal could not be considered to be ancillary to the ground floor flat and should be treated as a new independent dwelling. An independent dwelling would require private amenity area and separate parking facilities that have not been shown on the submitted plans.

The only access to the annex is through a privately rented flat. I am mindful that the property has separate access for each flat and there is access to the rear garden made through a right of access through a shared entry off Church Drive. However, this access was not included with the application and would require access over adjoining neighbour properties with the relevant notice being served.

Given that the only access to the unit would be from the ground floor flat and that the purpose of the unit is to provide ancillary accommodation to support a dependent relative at a separate address, I consider that the means of access and increased activity for an independent unit would have undue impact on

the current or future residents of no. 80 Church Drive. I also consider the use of the right of access would have an undue impact on the residential amenity of these dwellings by virtue of the increased activity. It is therefore my opinion the proposal fails to make provision for satisfactory access to the building to the detriment of residential amenity of neighbouring properties.

This side of Church Drive is characterised by terraced two-storey properties with long rear gardens, I am of the opinion the independent living accommodation in this location would not be in keeping with the scale and character of the property and the wider area.

For the reasons set out above it was considered that the proposal was not to be in accordance with Policy 10 of the Aligned Core Strategy 2014 and saved Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) and Government advice contained within the NPPF and the retrospective planning application for the retention of the timber structure was refused for the following reasons:

1. In the opinion of the Borough Council, the proposal relates to an independent new dwelling which is not ancillary to the purposes of the application site, no.80 Church Drive. There is no separate private amenity space or parking facilities to serve the development which would result in an unacceptable form of development given its location in the rear garden of no.80 Church Drive. Given that the use of the unit would be independent from no.80 Church Drive the application needs to be considered as a Full Planning Application for a new residential unit. Enforcement investigations and notifications advised that the Borough Council considered that the application should be considered as an independent dwelling; however, the agent has requested the application be considered as a householder application. In the opinion of the Borough Council the construction of this development would not result in an ancillary development to no.80 Church Drive.
2. In the opinion of the Borough Council, by reason of the increased level of activity and insufficient access arrangements to the annexe, the development has an undue impact on the residential amenity of neighbouring residential properties. The proposal would therefore be contrary to the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
3. In the opinion of the Borough Council, the new residential unit to the rear garden area of no.80 Church Drive would be out of keeping with the pattern of development in the surrounding area. The proposal would therefore be contrary to the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).

In my opinion now that the retrospective planning application has been refused the only route available is to proceed with and serve an Enforcement Notice with a view securing removal of the timber structure. The time period given for this to take place is two months after the notice takes effect.

The notice will also have to be served on anyone with an interest in the land such as the tenants, the owner and the bank

**Recommendation:**

That the Chief Executive and the Director of Organisational Development and Democratic Services be authorised to take any appropriate enforcement action including the service of relevant notices.

The Director of Organisational Development and Democratic Services be authorised to take any further legal action following the service of any relevant notices, if such legal action is appropriate.

## **ACTION SHEET PLANNING DELEGATION PANEL 13th May 2016**

2016/0060

88 Sheepwalk Lane Ravenshead Nottinghamshire

Demolition of existing dwelling and erection of 3 no. detached dwellings with integral garages. Block up existing vehicular access and provide new relocated vehicular access.

**The Panel referred the application to Planning Committee.**

2016/0155

786 Mansfield Road Daybrook Nottinghamshire

The installation of a mezzanine floor to measure 1,115 sqm for use as retail floor space

The proposed development would have no undue impact on the vitality and viability of Arnold Town Centre.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0245

786 Mansfield Road Daybrook Nottinghamshire

Variation of condition 2 (Planning Ref : 97/0618) to extend the range of goods able to be sold from the premises

The proposed development would have no undue impact on the vitality and viability of Arnold Town Centre.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

**David Gray - 13th May 2016**

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## **ACTION SHEET PLANNING DELEGATION PANEL 27th May 2016**

2016/0249

161 Main Street Woodborough Nottinghamshire  
Single storey extension and alterations

The proposed development, as amended, would preserve the amenity of the Woodborough Conservation Area & would have no undue impact on this building of Local Interest or on the residential amenity of adjacent properties.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

2016/0266

Hall Mews 5 Hall Lane Papplewick  
Erection of a timber summer house. Installation of solar heating.

The proposed development would have no undue impact on the setting of the Listed Building, the residential amenity of adjacent properties or on the openness of the Green Belt.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

2016/0327

21 Craster Drive Arnold Nottinghamshire  
Single storey rear extension

The proposed development would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0355  
37 Hartington Avenue Carlton Nottinghamshire  
Proposed First Floor Rear Extension and Two Storey Side Extension

The proposed development would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued.

2016/0387  
2 Chernside Ravenshead Nottinghamshire  
Retention of Single Storey Rear Extension

The proposed development would have no undue impact on the residential amenity of adjacent properties.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued.

Parish to be notified following issue of decision.

**SS**

2016/0443  
Garage Site Moyra Drive Arnold  
SITE 24 -Demolition of existing garages and construction of 4 no.1 bed flats of 2 storeys

Subject to improvements to the proposed layout & design, the proposed development would have no undue impact on the residential amenity of adjacent properties, the streetscene or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0402  
36 Nottingham Road Ravenshead Nottinghamshire  
Resubmission of approved plan for side and rear extensions under 2015/1017 with revised roof design

The proposed development would have no undue impact on the openness of the Green Belt or the residential amenity of adjacent properties & is of an acceptable scale, design and appearance.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

2016/0448TPO  
133C Main Street Woodborough Nottinghamshire  
Works to trees

The proposal would have no significant negative impact on the Conservation Area & local environment.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

2016/0433  
333 Coppice Road Arnold NG5 7HH  
Two Storey Rear extension with chimney and reinstatement of integrated garage.

Subject to improvements to the proposed layout & design, the proposed development would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0446  
16 Mount Pleasant Carlton NG4 1EZ  
Construct two storey side extension

The proposed development would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

**NM 1st June 2016**

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## **ACTION SHEET PLANNING DELEGATION PANEL 3rd June 2016**

2016/0148

6 Jessops Lane Gedling Nottinghamshire

The proposal is to create both ground & first floor extensions, and a detached garage.

The proposed development would have no undue impact on the residential amenity of adjacent properties, the streetscene or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0375

170 Main Street Calverton Nottinghamshire

Extensions to Bungalow (amended scheme). Vehicle to be taken off Main Street. Brick retaining wall and railings to Main Street. (Resubmission of 2014/1038)

The proposed development would have no undue impact on highway safety or on the residential amenity of adjacent properties.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

2016/0468

8A Church Lane Redhill Nottinghamshire

Retention of enclosed hard standing to form a carport.

The proposed car port would have an incongruous appearance & be detrimental to the street scene in this location.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2016/0477

283 Main Road Ravenshead NG15 9GS

Proposed porch and detached garage

The proposed development would accord with Green Belt policy & would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued.

Parish to be notified following issue of decision.

**SS**

2016/0495  
39 Sidlaw Rise Bestwood Nottinghamshire  
Two storey extension to side.

The proposed development would have would have no undue impact on the residential amenity of adjacent properties, the streetscene or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued.

Parish to be notified following issue of decision.

**SS**

2016/0517  
12 Winifred Crescent Burton Joyce Nottinghamshire  
Two storey side extension to existing property.

The proposed development would have no undue impact on the residential amenity of adjacent properties or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

**SS**

**NM**  
**3<sup>rd</sup> June 2016**



## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 22 June 2016

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Control.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2014/0273	Land at corner Longdale Lane & Kighill Lane, Ravenshead.	Site for residential development.	20/07/16
2015/1009	Bestwood Lodge Hotel, Bestwood.	Granite memorial to 9th Duke of St Albans	20/07/16
2016/0306	Glebe Farm, Glebe Drive, Burton Joyce.	Outline application for up to 45 new residential dwellings.	20/7/16
2016/0414	Adjacent 64 Byron Street, Daybrook.	Erection of 21 residential apartments.	20/7/16
2014/1343	Westhouse Farm, Moor Road, Bestwood Village.	New single storey primary school.	24/8/16
2016/0534	19 Kighall Lane, Ravenshead.	Residential development to provide 16no. 2 bedroom retirement bungalows.	24/08/16
2015/0862	Land to North Lime Lane, South of Ramsdale Park.	4MW PV Solar Farm and associated infrastructure.	20/07/16

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The

Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

**Recommendation:**

To note the information.